



# California Regulatory Notice Register

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The *California Regulatory Notice Register* is an official state publication of the Office of Administrative Law containing notices of proposed regulatory actions by state regulatory agencies to adopt, amend or repeal regulations contained in the California Code of Regulations. The effective period of a notice of proposed regulatory action by a state agency in the *California Regulatory Notice Register* shall not exceed one year [Government Code § 11346.4(b)]. It is suggested, therefore, that issues of the *California Regulatory Notice Register* be retained for a minimum of 18 months.

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## PROPOSED ACTION ON REGULATIONS

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### TITLE 2. FAIR POLITICAL PRACTICES COMMISSION

NOTICE IS HEREBY GIVEN that the Fair Political Practices Commission, pursuant to the authority vested in it by Sections 82011, 87303, and 87304 of the Government Code to review proposed conflict of interest codes, will review the proposed/amended conflict of interest codes of the following:

#### CONFLICT OF INTEREST CODES

##### ADOPTION

Multi County: Reedley Cemetery District  
Pacific Library Partnership

A written comment period has been established commencing on **March 5, 2010** and closing on **April 19, 2010**. Written comments should be directed to the Fair Political Practices Commission, Attention Alexandra Castillo, 428 J Street, Suite 620, Sacramento, California 95814.

At the end of the 45-day comment period, the proposed conflict of interest code(s) will be submitted to the Commission's Executive Director for his review, unless any interested person or his or her duly authorized representative requests, no later than 15 days prior to the close of the written comment period, a public hearing before the full Commission. If a public hearing is requested, the proposed code(s) will be submitted to the Commission for review.

The Executive Director of the Commission will review the above-referenced conflict of interest code(s), proposed pursuant to Government Code Section 87300, which designate, pursuant to Government Code Section 87302, employees who must disclose certain investments, interests in real property and income.

The Executive Director of the Commission, upon his or its own motion or at the request of any interested person, will approve, or revise and approve, or return the proposed code(s) to the agency for revision and re-submission within 60 days without further notice.

Any interested person may present statements, arguments or comments, in writing to the Executive Direc-

tor of the Commission, relative to review of the proposed conflict of interest code(s). Any written comments must be received no later than **April 19, 2010**. If a public hearing is to be held, oral comments may be presented to the Commission at the hearing.

#### COST TO LOCAL AGENCIES

There shall be no reimbursement for any new or increased costs to local government which may result from compliance with these codes because these are not new programs mandated on local agencies by the codes since the requirements described herein were mandated by the Political Reform Act of 1974. Therefore, they are not "costs mandated by the state" as defined in Government Code Section 17514.

#### EFFECT ON HOUSING COSTS AND BUSINESSES

Compliance with the codes has no potential effect on housing costs or on private persons, businesses or small businesses.

#### AUTHORITY

Government Code Sections 82011, 87303 and 87304 provide that the Fair Political Practices Commission as the code reviewing body for the above conflict of interest codes shall approve codes as submitted, revise the proposed codes and approve it as revised, or return the proposed codes for revision and re-submission.

#### REFERENCE

Government Code Sections 87300 and 87306 provide that agencies shall adopt and promulgate conflict of interest codes pursuant to the Political Reform Act and amend their codes when change is necessitated by changed circumstances.

#### CONTACT

Any inquiries concerning the proposed conflict of interest code(s) should be made to Alexandra Castillo, Fair Political Practices Commission, 428 J Street, Suite 620, Sacramento, California 95814, telephone (916) 322-5660.

#### AVAILABILITY OF PROPOSED CONFLICT OF INTEREST CODES

Copies of the proposed conflict of interest codes may be obtained from the Commission offices or the respective agency. Requests for copies from the Commission should be made to Alexandra Castillo, Fair Political Practices Commission, 428 J Street, Suite 620, Sacramento, California 95814, telephone (916) 322-5660.

## TITLE 2. STATE PERSONNEL BOARD

### NOTICE OF PROPOSED REVISION OF REGULATIONS AND STATEMENT OF REASONS

California Code of Regulations  
Title 2. Administration  
Division 1. Administrative Personnel  
Chapter 1. State Personnel Board  
Article 7. Appointments  
And  
Article 9. Promotion

**DATE:** February 22, 2010  
**TO:** ALL INTERESTED PARTIES  
**FROM:** SUZANNE M. AMBROSE  
Executive Officer  
**SUBJECT:** PROPOSED AMENDMENT TO  
CALIFORNIA CODE OF REGULA-  
TIONS, TITLE 2, SECTIONS 548.70  
AND 234 — ELIGIBILITY FOR  
PROMOTIONAL EXAMINATIONS  
AND CEA APPOINTMENTS

#### AUTHORITY

Under the authority established in Government Code (GC) sections 18701, 18546, 18990, 18991, 18992, 19889, 19889.2, and 19889.3, the State Personnel Board (SPB or Board) proposes to amend sections 578.70 and 234 to Title 2 of the California Code of Regulations (2 CCR) relating to eligibility for promotional examinations and appointments. Pursuant to GC sections 18211 and 18213, the proposed regulations are exempt from the Administrative Procedure Act (Chapter 3.5, commencing with Section 11340, of Part 1 of Division 3).

#### REFERENCE

The regulations implement, interpret, and/or make specific GC sections 18546, 18990, 18991, 18992, and 19889.3.

#### PUBLIC HEARING

**Date and Time:** Thursday, April 8, 2010  
10:15 a.m.–11:15 a.m.  
**Place:** 801 Capitol Mall, Auditorium, Room  
150  
Sacramento, CA 95814  
**Purpose:** To receive oral comments about this  
action.

## WRITTEN PUBLIC COMMENT PERIOD

The written public comment period will close Monday, March 25, 2010, at 5:00 p.m. Any person may submit written comments about the proposed amendments. To be considered by the Board, the appropriate person identified below must receive written comments before the close of the written public comment period.

Written comments may be submitted to:

CHIAN HE  
State Personnel Board  
801 Capitol Mall, MS 53  
Sacramento, CA 95814

or to: [che@spb.ca.gov](mailto:che@spb.ca.gov)

#### AVAILABILITY OF PROPOSED TEXT AND STATEMENT OF REASONS/ CONTACT PERSONS

Copies of the proposed action, Statement of Reasons, and all of the information upon which the proposal is based are available for review upon request to Chian He. The rulemaking file is available for review during normal business hours at SPB, 801 Capitol Mall, Sacramento, CA 95814. Additional information or questions regarding the substance of the proposed action should be directed to Chian He, as specified above.

#### ACCESSING INFORMATION REGARDING THIS RULEMAKING FILE ON THE STATE PERSONNEL BOARD WEBSITE

The text of the proposed amendments, the Notice of Proposed Amendment of Regulations and Statement of Reasons can be viewed at [www.spb.ca.gov](http://www.spb.ca.gov).

#### AVAILABILITY OF CHANGES TO PROPOSED TEXT

If any substantial and sufficiently related changes are made to the text as a result of comments received during the public comment period, SPB will make the full text of the changed regulations available for at least 15 days before the date the regulations are permanently amended.

#### INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

GC section 18211 specifies that regulations promulgated by the SPB are exempt from the Administrative Procedure Act (GC section 11340 et seq.), except as provided in GC sections 18215 and 18216. The exceptions in GC sections 18215 and 18216 do not apply to

civil service selection, examination, or classification procedures.

GC section 18213 specifies that regulations concerning civil service selection, examination, and classification procedures may be adopted by the SPB without public notice or comment.

GC section 18701 authorizes the Board to prescribe, amend, and repeal regulations for the administration and enforcement of the Civil Service Act (GC section 18500 et seq.).

The purpose of the proposed regulations is to implement statutory changes on eligibility for CEA appointments and promotional examinations.

#### IMPACT ON SMALL BUSINESSES

It is anticipated that the proposed amendments will have no impact on small businesses.

#### LOCAL MANDATE

SPB has determined that the proposed action imposes no additional mandate on local agencies or school districts and, therefore, requires no reimbursement pursuant to GC section 17561.

#### COST ESTIMATES OF PROPOSED ACTION

##### **Costs or Savings to State Agencies:**

The proposed regulation will involve no additional costs to any state agency.

##### **Impact on Housing Costs:**

No impact.

##### **Costs or Savings in Federal Funding to the State:**

No impact.

##### **Costs or Savings to Local Agencies or School Districts Required to be Reimbursed:**

No impact.

##### **Other Nondiscretionary Costs or Savings Imposed on Local Agencies**

No impact.

##### **Cost Impact on Private Persons or Businesses**

No impact.

#### ASSESSMENT OF POTENTIAL ADVERSE ECONOMIC IMPACT ON BUSINESSES

No impact.

#### ASSESSMENT REGARDING THE EFFECT ON JOBS/BUSINESSES

The adoption of the proposed action should neither create nor eliminate jobs in the state, nor result in the

elimination or expansion of existing businesses in the state, nor create or expand businesses in the state.

#### ALTERNATIVES STATEMENT

SPB has determined that no reasonable alternative considered by SPB, or that has otherwise been identified and brought to the attention of SPB, would be more effective in carrying out the purpose for which this action is proposed, or would be as effective as and less burdensome to affected persons than the proposed action.

#### FINAL STATEMENT OF REASONS

It is anticipated that the proposed regulations will be filed with the Office of Administrative Law and shall include a Final Statement of Reasons for the amendments. Copies of the Final Statement of Reasons may be obtained from the contact person when it becomes available.

#### ACCESSING INFORMATION REGARDING THIS RULEMAKING FILE ON THE STATE PERSONNEL BOARD WEBSITE

The text of the proposed amendments, the Notice of Proposed Amendment of Regulations and Statement of Reasons can be viewed at [www.spb.ca.gov](http://www.spb.ca.gov).

#### INITIAL STATEMENT OF REASONS

The purpose of the proposed regulations is to implement changes mandated by Government Code sections 18546, 18990, 18992, and 19889.3 regarding eligibility for CEA appointments and promotional examinations.

The main elements of the proposed regulations are:

- (1) Those who previously had permanent status in the state civil service are made eligible for CEA promotional examinations and appointments;
- (2) Persons who have been employed by the Legislature as defined in Government Code section 18990 are made eligible for CEA appointments and all promotional examinations;
- (3) Persons who have held nonelected exempt positions in the executive branch of government as defined in Government Code section 18992 are made eligible for CEA appointments and all promotional examinations; and
- (4) Persons retired from the United States military, honorably discharged from active military duty with a service-connected disability, or honorably discharged from active duty as defined in Government Code section 18991 are made



eligible for CEA appointments and all promotional examinations.

**Note: Government Code sections 18546, 18990, 18992, and 19889.3 have sunset provisions of January 1, 2013 pursuant to SB 1472, Chapter 353, Statutes of 2008, unless statutes are enacted before January 1, 2013, extending or making the provisions permanent. If these statutes sunset, the proposed regulations will revert back to existing regulations.**

### TITLE 3. DEPARTMENT OF FOOD AND AGRICULTURE

NOTICE IS HEREBY GIVEN that the Department of Food and Agriculture amended subsection 3434(b) of the regulations in Title 3 of the California Code of Regulations pertaining to Light Brown Apple Moth Interior Quarantine as an emergency action that was effective on November 10, 2009. The Department proposes to continue the regulation as amended and to complete the amendment process by submission of a Certificate of Compliance no later than April 30, 2010.

NOTICE IS HEREBY GIVEN that the Department of Food and Agriculture amended subsection 3434(b) of the regulations in Title 3 of the California Code of Regulations pertaining to Light Brown Apple Moth Interior Quarantine as an emergency action that was effective on December 31, 2009. The Department proposes to continue the regulation as amended and to complete the amendment process by submission of a Certificate of Compliance no later than April 30, 2010.

NOTICE IS HEREBY GIVEN that the Department of Food and Agriculture amended subsection 3434(b) of the regulations in Title 3 of the California Code of Regulations pertaining to Light Brown Apple Moth Interior Quarantine as an emergency action that was effective on January 25, 2010. The Department proposes to continue the regulation as amended and to complete the amendment process by submission of a Certificate of Compliance no later than April 30, 2010.

A public hearing is not scheduled. A public hearing will be held if any interested person, or his or her duly authorized representative, submits a written request for a public hearing to the Department no later than 15 days prior to the close of the written comment period. Following the public hearing if one is requested, or following the written comment period if no public hearing is requested, the Department of Food and Agriculture, at its own motion, or at the instance of any interested person, may adopt the proposal substantially as set forth without further notice.

Notice is also given that any person interested may present statements or arguments in writing relevant to

the action proposed to the agency officer named below on or before April 19, 2010.

#### INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

Existing law provides that the Secretary is obligated to investigate the existence of any pest that is not generally distributed within this State and determine the probability of its spread, and the feasibility of its control or eradication (Food and Agricultural Code Section 5321).

Existing law also provides that the Secretary may establish, maintain and enforce quarantine, eradication and other such regulations as he deems necessary to protect the agricultural industry from the introduction and spread of pests (Food and Agricultural Code, Sections 401, 403, 407 and 5322). Existing law also provides that eradication regulations may proclaim any portion of the State as an eradication area and set forth the boundaries, the pest, its hosts and the methods to be used to eradicate said pest (Food and Agricultural Code Section 5761).

The amendments of Section 3434(b) added the Los Osos area of San Luis Obispo County and Santa Barbara area of Santa Barbara County and established additional portions of Alameda, Contra Costa, Los Angeles, Marin, Monterey, Napa, San Mateo, San Joaquin, Santa Clara, Santa Cruz, Solano, Sonoma and Yolo counties as quarantine areas. It established the counties of San Francisco, San Mateo and Santa Cruz as the regulated area and eliminated the restrictions on moving host material into this area from the contiguous quarantine area. There is no existing, comparable federal regulation or statute regulating the intrastate movement.

#### COST TO LOCAL AGENCIES AND SCHOOL DISTRICTS

The Department of Food and Agriculture has determined that Section 3434 does not impose a mandate on local agencies or school districts, except that an agricultural commissioner of a county under quarantine has a duty to enforce Section 3434. No reimbursement is required for Section 3434 under Section 17561 of the Government Code because all of the affected county agricultural commissioners requested the change in the regulation.

The Department also has determined that the amended regulation will involve no additional costs or savings to any state agency, no reimbursable costs or savings under Part 7 (commencing with Section 17500) of Division 4 of the Government Code to local agencies or school districts, no nondiscretionary costs or savings to local agencies or school districts, and no costs or savings in federal funding to the State.

### EFFECT ON HOUSING COSTS

The Department has made an initial determination that the proposed actions will not affect housing costs.

### EFFECT ON BUSINESSES

The Department has made an initial determination that the proposed actions will not have a significant statewide adverse economic impact directly affecting California businesses, including the ability of California businesses to compete with businesses in other states.

### COST IMPACT ON AFFECTED PRIVATE PERSON OR BUSINESSES

The cost impact of the amended regulation on a representative private person or business located within the regulated area may be significant. An average infested ornamental nursery producing plants in one-gallon containers may incur initial costs of \$140 to \$218 per acre in eliminating the light brown apple moth to be in reasonable compliance with the proposed action. Approximately 65,000 one-gallon containers may be placed upon one acre. This translates into an initial increased production cost of \$0.002 to \$0.003 per one gallon container. The actual costs may vary with the type of material used, size and production practices of the affected businesses.

However, nursery stock that is infested with the light brown apple moth does not meet the current requirements of Section 3060.2, Standards of Cleanliness, California Code of Regulations (CCR), and cannot be sold. Therefore, there are no additional mandated costs of compliance due to this regulation.

### ASSESSMENT

The Department has made an assessment that the proposed adoption of the regulations would not (1) create or eliminate jobs within California, (2) create new business or eliminate existing businesses within California, or (3) affect the expansion of businesses currently doing business within California.

### ALTERNATIVES CONSIDERED

The Department of Food and Agriculture must determine that no reasonable alternative considered by the Department or that has otherwise been identified and brought to the attention of the Department would be more effective in carrying out the purpose for which the actions are proposed or would be as effective and less

burdensome to affected private persons than the proposed actions.

### AUTHORITY

The Department proposes to amend Section 3434 pursuant to the authority vested by Sections 407, 5301, 5302 and 5322 of the Food and Agricultural Code.

### REFERENCE

The Department proposes this action to implement, interpret and make specific Sections 5301, 5302 and 5322 of the Food and Agricultural Code.

### EFFECT ON SMALL BUSINESS

The proposed amendment of this regulation may affect small businesses.

### CONTACT

The agency officer whom written comments and inquiries about the initial statement of reasons, proposed actions, location of the rulemaking files, and request for a public hearing may be directed is: Stephen S. Brown, Department of Food and Agriculture, Plant Health and Pest Prevention Services, 1220 N Street, Room A-316, Sacramento, California 95814, (916) 654-1017, FAX (916) 654-1018, E-mail: sbrown@cdfa.ca.gov. In his absence, you may contact Susan McCarthy at (916) 654-1017. Questions regarding the substance of the proposed regulation should be directed to Stephen S. Brown.

### INTERNET ACCESS

The Department has posted the information regarding this proposed regulatory action on its Internet Web site ([www.cdfa.ca.gov/cdfa.pendingregs](http://www.cdfa.ca.gov/cdfa.pendingregs)).

### AVAILABILITY OF STATEMENT OF REASONS AND TEXT OF PROPOSED REGULATIONS

The Department of Food and Agriculture has prepared an initial statement of reasons for the proposed actions, has available all the information upon which its proposal is based, and has available the express terms of the proposed action. A copy of the initial statement of reasons and the proposed regulations in underline and strikeout form may be obtained upon request. The location of the information on which the proposal is based may also be obtained upon request. In addition, when completed, the final statement of reasons will be available upon request. Requests should be directed to the contact named herein.

If the regulations adopted by the Department differ from, but are sufficiently related to the action proposed, they will be available to the public for at least 15 days prior to the date of adoption. Any person interested may obtain a copy of said regulations prior to the date of adoption by contacting the agency officer (contact) named herein.

## **TITLE 8. DIVISION OF WORKERS' COMPENSATION**

### **NOTICE OF PROPOSED RULEMAKING**

**Subject Matter of Regulations: Workers' Compensation — Electronic and Standardized Medical Treatment Billing**

### **TITLE 8. CALIFORNIA CODE OF REGULATIONS Sections 9792.5 et seq.**

**NOTICE IS HEREBY GIVEN** that the Administrative Director of the Division of Workers' Compensation, pursuant to the authority vested in her by Labor Code sections 59, 133, 4603.4, 4603.5, and 5307.3 proposes to amend section 9792.5 in Article 5.5 and adopt sections Section 9792.5.0 through Section 9792.5.3, in Article 5.5.0 of Division 1, Chapter 4.5, Subchapter 1, of title 8, California Code of Regulations, relating to electronic and standardized medical treatment billing.

### **PROPOSED REGULATORY ACTION**

- 1. Proposed Section 9792.5 Payment for Medical Treatment [Amend]**
- 2. Proposed Article 5.5.0 Rules for Medical Treatment Billing and Payment on or after XXXX, 2010 [approximately 90 days after effective date of regulation] [Adopt]**  
  
**Proposed Section 9792.5.0 Definitions [Adopt]**
- 3. Proposed Section 9792.5.1. Medical Billing and Payment Guide; Medical Billing and Payment Companion Guide; Various Implementation Guides [Adopt]**
- 4. Proposed Section 9792.5.2 — Standardized Medical Treatment Billing Forms/Formats, Billing Rules, Requirements for Completing and Submitting Form CMS 1500, Form CMS 1450 (or UB 04), American Dental Association Form, Version 2006, NCPDP Workers' Compensation/Property & Casualty Claim Form, Payment Requirements [Adopt]**

## **5. Proposed Section 9792.5.3 — Medical Treatment Bill Payment Rules [Adopt]**

### **PUBLIC HEARING**

Public hearings have been scheduled to permit all interested persons the opportunity to present statements or arguments, oral or in writing, with respect to the subjects noted above, on the following dates:

**Date: April 23, 2010**

**Time: 10:00 a.m. to 5:00 p.m. or conclusion of business**

**Place: Elihu M. Harris State Building,  
Auditorium  
1515 Clay Street,  
Oakland, CA 94612**

**Date: April 26, 2010**

**Time: 10:00 a.m. to 5:00 p.m. or conclusion of business**

**Place: Ronald Reagan State Building —  
Auditorium  
300 South Spring Street  
Los Angeles, California 90013**

In order to ensure unimpeded access for disabled individuals wishing to present comments and facilitate the accurate transcription of public comments, camera usage will be allowed in only one area of the hearing room. To provide everyone a chance to speak, public testimony will be limited to 10 minutes per speaker and should be specific to the proposed regulations. Testimony which would exceed 10 minutes may be submitted in writing.

Please note that public comment will begin promptly at 10:00 a.m. and will conclude when the last speaker has finished his or her presentation. If public comment concludes before the noon recess, no afternoon session will be held.

The Administrative Director requests, but does not require, that any persons who make oral comments at the hearings also provide a written copy of their comments. Equal weight will be accorded to oral comments and written materials.

### **ACCESSIBILITY**

The State Office Buildings and Auditoriums are accessible to persons with mobility impairments. Alternate formats, assistive listening systems, sign language interpreters, or other type of reasonable accommodation to facilitate effective communication for persons with disabilities, are available upon request. Please contact the Statewide Disability Accommodation Coordinator, Kathleen Estrada, at 1-866-681-1459 (toll free),



or through the California Relay Service by dialing 711 or 1-800-735-2929 (TTY/English) or 1-800-855-3000 (TTY/Spanish) as soon as possible to request assistance.

#### WRITTEN COMMENT PERIOD

Any interested person, or his or her authorized representative, may submit written comments relevant to the proposed regulatory action to the Department of Industrial Relations, Division of Workers' Compensation. The written comment period closes at **5:00 p.m., on April 26, 2010**. The Department of Industrial Relations, Division of Workers' Compensation will consider only comments received at the Department of Industrial Relations, Division of Workers' Compensation by that time. Equal weight will be accorded to oral comments presented at the hearing and written materials.

Submit written comments concerning the proposed regulations prior to the close of the public comment period to:

Maureen Gray  
Regulations Coordinator  
Department of Industrial Relations  
Division of Workers' Compensation  
Post Office Box 420603  
San Francisco, CA 94142

Written comments may be submitted by facsimile transmission (FAX), addressed to the above-named contact person at (510) 286-0687. Written comments may also be sent electronically (via e-mail) using the following e-mail address: [dwcrules@dir.ca.gov](mailto:dwcrules@dir.ca.gov).

Unless submitted prior to or at the public hearing, Ms. Gray must receive all written comments no later than **5:00 p.m. on April 26, 2010**.

#### AUTHORITY AND REFERENCE

The Administrative Director is undertaking this regulatory action pursuant to the authority vested in her by Labor Code sections 59, 133, 4603.4, 4603.5, and 5307.3.

Reference is to Labor Code sections 4600, 4603.2, 4603.4, and 5307.1.

#### INFORMATIVE DIGEST AND POLICY STATEMENT OVERVIEW

Existing law establishes a workers' compensation system, administered by the Administrative Director of the Division of Workers' Compensation, to compensate an employee for injuries sustained in the course of his or her employment. Labor Code section 4600 requires an

employer to provide medical, surgical, chiropractic, acupuncture, and hospital treatment, including nursing, medicines, medical and surgical supplies, crutches, and apparatus, including orthotic and prosthetic devices and services, that is reasonably required to cure or relieve the injured worker from the effects of his or her injury. Under existing law, payment for medical treatment shall be no more than the maximum amounts set by the administrative directive in the Official Medical Fee Schedule or the amounts set pursuant to a contract. Prior to reform legislation in 2002, there was no statutory requirement that medical treatment bills be prepared on a standardized form, nor was there a statutory requirement that claims administrators accept bills in electronic form. Assembly Bill 749 (Statutes 2002, Chapter 6) adopted Labor Code section 4603.4 to require the administrative director adopt regulations to:

- Ensure that medical treatment bills be presented on standardized forms
- Require claims administrators to accept electronic claims for payment
- Ensure confidentiality of medical information submitted on electronic claims for payment

In 2003 the legislature passed SB 228 (Statutes of 2003, Chapter 639), amending Labor Code section 4603.4 to state that the administrative director must adopt regulations by January 1, 2005 and that the regulations must mandate that employers accept electronic claims for payment of medical services on or before July 1, 2006. The amendment also stated that payment for medical treatment provided or authorized by the treating physician shall be paid within 15 working days of electronic receipt of a billing for services at or below the fees set forth in the official medical fee schedule. The statute also provides that if the billing is contested, denied, or incomplete, the payment shall be made in accordance with Labor Code section 4603.2 which sets forth the rules relating to payment of non-electronic medical treatment bills. Labor Code section 4603.2 specifically requires that the employer: 1) notify the provider if a bill is contested, denied or considered incomplete within 30 working days of receipt of the bill and 2) pay the bill, or pay uncontested portions of the bill, within 45 working days of receipt of the bill (or within 60 working days if the employer is a public entity.) SB 228 also amended Labor Code section 4603.2 by changing the payment period for paper medical bills from sixty days to forty-five working days, and by changing the increase payable for late bills from 10% to 15%.

Labor Code section 4603.4 specifies that the standards for electronic billing and confidentiality of medical information submitted on electronic claims "shall be consistent with existing standards under the federal Health Insurance Portability and Accountability Act of

1996” “to the extent feasible.” The Health Insurance Portability and Accountability Act of 1996 (HIPAA) (Public Law 104–191, 110 Stat.1936), is codified at 42 U.S.C. sections 1320d through 1320d–9 and the implementing regulations are codified at 45 CFR sections 160.101 et seq. HIPAA provides that the purpose of the statute is to improve the Medicare program, the Medicaid program and the efficiency and effectiveness of the health care system by encouraging the development of a health information system through the establishment of standards and requirements for the electronic transmission of health information. The HIPAA regulations set forth rules relating to, *inter alia*, compliance and investigation by the Secretary of Health and Human Services, imposition of monetary penalties, electronic transmission standards, security of electronically stored or transmitted protected health information, and privacy standards. The HIPAA statute and regulations do not apply to workers’ compensation. A covered entity under HIPAA includes a variety of health insurers and plans but does not include a workers’ compensation insurer (42 U.S.C. Sections 300gg–91(a), (b), (c)(1)(D), 45 C.F.R. Sections 160.102(a)(1), 160.103). The regulations proposed in this rulemaking action are consistent with HIPAA to the extent feasible, but some HIPAA electronic standards are not relevant for workers’ compensation, for example the standards for enrollment in a health plan, and coordination of benefits. The Division proposes to adopt the HIPAA security standard, with minor revisions for workers’ compensation, to ensure confidentiality of electronic information. The Division has decided to diverge from HIPAA by adopting the current mandatory HIPAA “4010” standards, but has not adopted the HIPAA “5010” standards which were recently adopted for HIPAA, but which are not mandatory under HIPAA until January 12, 2012.

The Administrative Director now proposes to amend and adopt administrative regulations governing electronic and standardized medical treatment billing. These regulations implement, interpret, and make specific sections 4600, 4603.2 and 4603.4 of the Labor Code.

These regulations:

**Amend Section 9792.5** to 1) conform to statutory changes to Labor Code section 4603.2 which changed the payment period for paper medical bills from sixty days to forty–five working days, and which changed the increase payable for late bills from 10% to 15%; and 2) insert an applicability date for the rule so that it is clear that it is effective for treatment rendered before the effective date of the new billing and payment rules that will be adopted.

**Adopt Section 9792.5.0** to establish definitions for parties that will be subject to the new electronic and standardized billing and payment rules, i.e. “claims ad-

ministrators,” “health care facility,” “physician,” and “third party biller/assignee.”

**Adopt Section 9792.5.1** to adopt and incorporate by reference the following documents in their entirety, except as specifically provided:

- The California Division of Workers’ Compensation Medical Billing and Payment Guide, 2010.
- The California Division of Workers’ Compensation Electronic Medical Billing and Payment Companion Guide, 2010.
- The ASC X12N 837 — Health Care Claim: Dental, Version 4010, May 2000, Washington Publishing Company, 004010X097.
- Addenda to Health Care Claim: Dental, Version 4010, October 2002, Washington Publishing Company, 004010X097A1.
- The ASC X12N 837 — Health Care Claim: Professional, Volumes 1 and 2, Version 4010, May 2000, Washington Publishing Company, 004010X098.
- Addenda to Health Care Claim: Professional, Volumes 1 and 2, Version 4010, October 2002, Washington Publishing Company, 004010X098A1.
- The ASC X12N 837 — Health Care Claim: Institutional, Volumes 1 and 2, Version 4010, May 2000, Washington Publishing Company, 004010X096.
- Addenda to Health Care Claim: Institutional, Volumes 1 and 2, Version 4010, October 2002, Washington Publishing Company, 004010X096A1.
- The Telecommunication Standard Implementation Guide Version 5, Release 1 (Version 5.1), September 1999, National Council for Prescription Drug Programs.
- The Batch Standard Implementation Guide, Version 1, Release 1 (Version 1.1), January 2000, supporting Telecommunication Standard Implementation Guide, Version 5, Release 1 (Version 5.1) for the NCPDP Data Record in the Detail Data Record, National Council for Prescription Drug Programs.
- The ASC X12N 277 — Health Care Claim Acknowledgement Version 4040, February 2004, Washington Publishing Company, 004040X167.
- The ASC X12N 835 — Health Care Claim Payment/Advice, Version 4010, May 2000, Washington Publishing Company, 004010X091.
- Addenda to Health Care Claim Payment/Advice, Version 4010, October 2002, Washington Publishing Company, 004010X091A1.

- The ASC X12N 275 — Additional Information to Support a Health Care Claim or Encounter, Version 4050, June 2004, Washington Publishing Company, 004050X151.
- The ASC X12N 277 — Health Care Claim Request for Additional Information, Version 4050, June 2004, Washington Publishing Company, 004050X150.
- The National Uniform Claim Committee 1500 Health Insurance Claim Form Reference Instruction Manual for 08/05 Version, Version 5.0 07/09, including the Form 1500 (08/05), National Uniform Claim Committee.
- The National Uniform Billing Committee Official UB-04 Data Specifications Manual 2010, Version 4.0, July 2009, including the UB 04 form.
- The Manual Claim Forms Reference Implementation Guide Version 1.0, October 2008, National Council of Prescription Drug Programs (NCPDP) Data Specifications Manual including the NCPDP paper WC/PC Universal Claim Form, except pages 13–36 relating to the Universal Claim Form.
- The Current Dental Terminology, Fourth Edition (CDT-4) 2009/2010, including the ADA 2006 Dental Claim Form.

**Adopt Section 9792.5.2** to implement the statutory directive to establish standardized billing forms for all medical care providers and facilities; and to specify the date that paper bills must be submitted on standardized forms and in conformity with the coding, standards, and timeframes set forth in the *California Division of Workers' Compensation Medical Billing and Payment Guide*. The section also implements the statutory mandate that medical providers may submit bills electronically by specifying the effective date of electronic billing and requiring adherence to the billing rules of the *California Division of Workers' Compensation Medical Billing and Payment Companion Guide*. The section also provides that third party billers and assignees shall submit bills in the same manner as the original rendering provider and shall conform to the payment guide and companion guide.

**Adopt Section 9792.5.3** to require claims administrators to conform to the rules in the *California Division of Workers' Compensation Medical Billing and Payment Guide* and the *California Division of Workers' Compensation Electronic Medical Billing and Payment Companion Guide*, and to specify effective dates of those provisions.

## DISCLOSURES REGARDING THE PROPOSED REGULATORY ACTION

The Administrative Director has made the following initial determinations:

- Significant statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states: None.
- Adoption of these regulations will not: (1) create or eliminate jobs within the State of California, (2) create new businesses or eliminate existing businesses within the State of California, or (3) affect the expansion of businesses currently doing business in California.
- Effect on Housing Costs: None.
- The Division of Workers' Compensation is aware of cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action. Claims administrators will incur costs to comply with the requirement that they accept electronic medical bills and issue electronic remittance advice. However, it is difficult to estimate the costs as they will vary greatly depending on how the claims administrator chooses to comply with the regulations (in house or through a clearinghouse), and the current state of readiness of the claims administrator. The benefits of electronic billing for claims administrators are anticipated to far outweigh the costs. The impact of the adoption of standardized paper billing formats is likely to have minimal impact on claims administrators, since these forms are already in widespread use, but will require staff training relating to the use of implementation guides and new implementation instructions. Medical providers will not necessarily incur costs relating to electronic billing since it is optional for the provider to engage in electronic billing. The adoption of standardized paper billing formats is likely to have minimal cost impact on providers as the forms are already in widespread use, but will require staff training relating to the use of implementation guides and new implementation instructions. Both claims administrators and providers may incur minimal costs to comply with the standardized Explanation of Review content requirements and codes. However, any costs are anticipated to be outweighed by more efficient communication and decreased disputes. The estimated impacts are set forth in the Form 399, Economic and Fiscal Impact Statement prepared by the Division, and included in the rulemaking file.



## EFFECT ON SMALL BUSINESS

The Administrative Director has determined that the proposed regulations will affect small business, primarily medical providers. Minimal costs may be incurred to comply with the standardized billing form requirements, however these will be offset by more efficient communication and decreased disputes. Electronic billing is optional for the provider, therefore small medical providers will not necessarily incur any costs due to the regulation. It is anticipated that providers that choose to bill electronically will realize financial benefit due to more efficient communication, reduced disputes, and quicker payment of bills. The estimated effect on small business is set forth in the Form 399, Economic and Fiscal Impact Statement prepared by the Division, and included in the rulemaking file.

## FISCAL IMPACTS

- Costs or savings to state agencies: These regulations affect the State Compensation Insurance Fund (SCIF), which is the largest workers' compensation insurer in the state. In 2008, SCIF had 22.6% of the workers' compensation market share (p. 49, *2008 California Property and Casualty Market Share Report*, CA Dept. of Insurance, <http://www.insurance.ca.gov/0400-news/0200-studies-reports/0100-marketshare/Marketshare2008/upload/IndMktShr2008WP.pdf>). Given an estimated 15.9 million workers' compensation medical bills received by claim administrators in 2008, SCIF's share is estimated at 22.6% of that, or 3.6 million medical bills. Given the estimated cost of processing an electronic medical bill (\$0.85) compared to a paper one (\$1.58), and an estimated prevalence for "pending" bills (\$2.05) of 14% (AHIP Center for Policy and Research, *An Updated Survey of Health Care Claims Receipt and Processing Times*, May 2006, available at: <http://www.ahipresearch.org/pdfs/PromptPayFinalDraft.pdf>), SCIF's annual cost savings as a result of electronic bill processing range from a low of \$1.2 million per year (if 50% of medical bills are received electronically) to a high of \$2.1 million per year (if 95% of medical bills are received electronically). If SCIF elects to implement electronic bill payment and processing in-house, these savings will be initially offset by start-up costs associated with computer system purchase and development and staff training, and on an ongoing basis by periodic updates and system maintenance.

- Costs/savings in federal funding to the State: None.
- Local Mandate: None. The proposed regulations will not impose any new mandated programs or increased service levels on any local agency or school district. The potential costs imposed on all public agency employers by these proposed regulations, although not a benefit level increase, are not a new State mandate because the regulations apply to all employers, both public and private, and not uniquely to local governments. The Administrative Director has determined that the proposed regulations will not impose any new mandated programs on any local agency or school district. The California Supreme Court has determined that an increase in workers' compensation benefit levels does not constitute a new State mandate for the purpose of local mandate claims because the increase does not impose unique requirements on local governments. See *County of Los Angeles v. State of California* (1987) 43 Cal.3d 46. The potential costs imposed on all public agency employers and payors by these proposed regulations, although not a benefit level increase, are similarly not a new State mandate because the regulations apply to all employers and payors, both public and private, and not uniquely to local governments.
- Cost to any local agency or school district that is required to be reimbursed under Part 7 (commencing with Section 17500) of Division 4 of the Government Code: None. The proposed regulations do apply to a local agency or school district in its capacity as an employer required to provide workers' compensation benefits to injured workers.
- Other nondiscretionary costs/savings imposed upon local agencies: None.

## CONSIDERATION OF ALTERNATIVES

In accordance with Government Code Section 11346.5(a)(13), the Administrative Director must determine that no reasonable alternative considered or that has otherwise been identified and brought to the Administrative Director's attention would be more effective in carrying out the purpose for which the actions are proposed or would be as effective and less burdensome to affected private persons than the proposed actions.

The Administrative Director invites interested persons to present statements or arguments with respect to alternatives to the proposed regulations at the scheduled hearing or during the written comment period.

## PUBLIC DISCUSSIONS OF PROPOSED REGULATIONS

Pursuant to Government Code section 11346.45, the text of draft proposed regulations was made available for pre-regulatory public comment through the Division's Internet message board (the DWC Forum.) Additionally, extensive pre-rulemaking advisory committee meetings were held over a period of more than two years to receive input on the development of the regulations. There were representatives from many segments of the workers' compensation community serving on the advisory committee. (See Rulemaking File, Other Documents: Memorandum of Suzanne Honor, Workers' Compensation Manager, regarding Public Consultation on Development of Electronic and Standardized Medical Billing Regulations/Guides (Govt. Code §11346.45) dated 12/9/2009.)

### AVAILABILITY OF INITIAL STATEMENT OF REASONS, TEXT OF PROPOSED REGULATIONS, RULEMAKING FILE AND DOCUMENTS SUPPORTING THE RULEMAKING FILE/INTERNET ACCESS

An Initial Statement of Reasons and the text of the proposed regulations in plain English have been prepared and are available from the contact person named in this notice. The entire rulemaking file will be made available for inspection and copying at the address indicated below. However, documents subject to copyright may be inspected but not copied.

As of the date of this notice, the rulemaking file consists of the notice; the initial statement of reasons; the proposed text of the regulations; the documents incorporated by reference; the Memorandum of Suzanne Honor Workers' Compensation Manager, regarding public consultation dated 12/9/2009; and a document entitled "Comparison of the Security Rule Proposed for Adoption in the California Division of Workers' Compensation Electronic Medical Billing and Payment Companion Guide (Appendix D Security Rule) to the HIPAA Security rule (Title 45 Subpart C §§164.302–164.316, and Appendix A Matrix)"; and the Form 399, Economic and Fiscal Impact Statement. Also included are studies and documents relied upon in drafting the proposed regulations and Form 399, Economic and Fiscal Impact Statement.

In addition, the Notice, Initial Statement of Reasons, and proposed text of regulations may be accessed and downloaded from the Division's website at [www.dir.ca.gov](http://www.dir.ca.gov). To access them, click on the link for the Division of Workers' Compensation homepage, then click on the "Participate in Rulemaking" link and

scroll down the list of rulemaking proceedings to find the current Electronic and Standardized Medical Treatment Billing rulemaking link.

Any interested person may inspect a copy or direct questions about the proposed regulations and any supplemental information contained in the rulemaking file. The rulemaking file will be available for inspection at the Department of Industrial Relations, Division of Workers' Compensation, 1515 Clay Street, 18<sup>th</sup> Floor, Oakland, California, between 9:00 a.m. and 4:30 p.m., Monday through Friday, unless the state office is closed for a state holiday or furlough (which is generally the first, second, and third Friday of each month). Copies of the proposed regulations, initial statement of reasons and any information contained in the rulemaking file may be requested in writing to the contact person.

### CONTACT PERSON

Nonsubstantive inquiries concerning this action, such as requests to be added to the mailing list for rulemaking notices, requests for copies of the text of the proposed regulations, the Initial Statement of Reasons, and any supplemental information contained in the rulemaking file may be requested in writing at the same address. The contact person is:

Maureen Gray  
Regulations Coordinator  
Department of Industrial Relations  
Division of Workers' Compensation  
Post Office Box 420603  
San Francisco, CA 94142  
E-mail: [mgray@dir.ca.gov](mailto:mgray@dir.ca.gov)

The telephone number of the contact person is (510) 286-7100.

### BACKUP CONTACT PERSON/CONTACT PERSON FOR SUBSTANTIVE QUESTIONS

In the event the contact person is unavailable, or to obtain responses to questions regarding the substance of the proposed regulations, inquiries should be directed to the following backup contact person:

Jacqueline Schauer, Industrial Relations Counsel  
Department of Industrial Relations  
Division of Workers' Compensation  
Post Office Box 420603  
San Francisco, CA 94142  
E-mail: [jschauer@dir.ca.gov](mailto:jschauer@dir.ca.gov)

The telephone number of the backup contact persons is (510) 286-7100.



**AVAILABILITY OF CHANGES FOLLOWING  
PUBLIC HEARING**

If the Administrative Director makes changes to the proposed regulations as a result of the public hearing and public comment received, the modified text with changes clearly indicated will be made available for public comment for at least 15 days prior to the date on which the regulations are adopted.

**AVAILABILITY OF THE FINAL  
STATEMENT OF REASONS**

Upon its completion, the Final Statement of Reasons will be available and copies may be requested from the contact person named in this notice or may be accessed on the website: [www.dir.ca.gov](http://www.dir.ca.gov), then click on the link for the Division of Workers' Compensation homepage, then click on the "Participate in Rulemaking" link and scroll down the list of rulemaking proceedings to find the current Electronic and Standardized Medical Treatment Billing rulemaking link.

**AUTOMATIC MAILING**

A copy of this Notice will automatically be sent to those interested persons on the Administrative Director's mailing list.

If adopted, the regulations as amended and adopted will appear in title 8, California Code of Regulations, commencing with section 9792.5.

**TITLE 15. DEPARTMENT OF  
CORRECTIONS AND REHABILITATION**

**NOTICE OF PROPOSED REGULATIONS**

**California Code of Regulations  
Title 15, Crime Prevention and Corrections  
Department of Corrections and Rehabilitation**

**NOTICE IS HEREBY GIVEN** that the Secretary of the California Department of Corrections and Rehabilitation (CDCR), pursuant to the authority granted by Government Code Section 12838.5 and Penal Code (PC) Section 5055, and the rulemaking authority granted by PC Section 5058 and 5058.3, in order to implement, interpret and make specific PC Section 5054, proposes to adopt Sections 3540 through 3548 and Sections 3560 through 3565 of the California Code of Regulations (CCR), Title 15, Division 3, concerning the use

of continuous electronic monitoring and the Global Positioning System (GPS) program.

**PUBLIC HEARING:**

Date and

Time: May 6, 2010 — 9:00 a.m. to 10:00 a.m.

Place: Department of Corrections and  
Rehabilitation  
Office of Training & Professional  
Development  
10000 Goethe Road, Mt. Whitney Room  
Sacramento, CA 95827

Purpose: To receive comments about this action.

**PUBLIC COMMENT PERIOD**

The public comment period will close May 6, 2010, at 5:00 p.m. Any person may submit public comments in writing (by mail, by fax, or by e-mail) regarding the proposed changes. To be considered by the Department, comments must be submitted to the CDCR, Regulation and Policy Management Branch, P.O. Box 942883, Sacramento, CA 94283-0001; by fax at (916) 255-5601; or by e-mail at [RPMB@cdcr.ca.gov](mailto:RPMB@cdcr.ca.gov) before the close of the comment period.

**CONTACT PERSON**

Please direct any inquiries regarding this action to

**Timothy M. Lockwood, Chief  
Regulation and Policy Management Branch  
Department of Corrections and Rehabilitation  
P.O. Box 942883, Sacramento, CA 94283-0001  
Telephone (916) 255-5500**

In the event the contact person is unavailable, inquiries should be directed to the following back-up person:

**Randy Marshall  
Regulation and Policy Management Branch  
Telephone (916) 255-5500**

Questions regarding the substance of the proposed regulatory action should be directed to:

**William Dunkak  
Division of Adult Parole Operations  
(916) 327-1136**

**LOCAL MANDATES**

This action imposes no mandates on local agencies or school districts, or a mandate which requires reimbursement of costs or savings pursuant to Government Code Sections 17500-17630.

#### FISCAL IMPACT STATEMENT

- Cost or savings to any state agency: *None*
- Other nondiscretionary cost or savings imposed on local agencies: *None*
- Cost or savings in federal funding to the state: *None*

#### EFFECT ON HOUSING COSTS

The Department has made an initial determination that the proposed action will have no significant effect on housing costs.

#### COST IMPACTS ON REPRESENTATIVE PRIVATE PERSONS OR BUSINESSES

The Department is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

#### SIGNIFICANT STATEWIDE ADVERSE ECONOMIC IMPACT ON BUSINESS

The Department has initially determined that the proposed regulations will not have a significant statewide adverse economic impact directly affecting businesses, including the ability of California businesses to compete with businesses in other states.

#### EFFECT ON SMALL BUSINESSES

The Department has determined that the proposed regulations may not affect small businesses. It is determined that this action has no significant adverse economic impact on small business because they are not affected by the internal management of state prisons.

#### ASSESSMENTS OF EFFECTS ON JOB AND/OR BUSINESS CREATION, ELIMINATION OR EXPANSION

The Department has determined that the proposed regulation will have no effect on the creation of new, or the elimination of existing jobs or businesses within California, or affect the expansion of businesses currently doing business in California.

#### CONSIDERATION OF ALTERNATIVES

The Department must determine that no reasonable alternative considered by the Department, or that has

otherwise been identified and brought to the attention of the Department, would be more effective in carrying out the purpose for which the action is proposed, or would be as effective and less burdensome to affected private persons, than the proposed regulatory action. Interested persons are accordingly invited to present statements or arguments with respect to any alternatives to the changes proposed at the scheduled hearing or during the written comment period.

#### AVAILABILITY OF PROPOSED TEXT AND INITIAL STATEMENT OF REASONS

The Department has prepared, and will make available, the text and the Initial Statement of Reasons (ISOR) of the proposed regulations. The rulemaking file for this regulatory action, which contains those items and all information on which the proposal is based (i.e., rulemaking file) is available to the public upon request directed to the Department's contact person. The proposed text, ISOR, and Notice of Proposed Action will also be made available on the Department's website <http://www.cdcr.ca.gov>.

#### AVAILABILITY OF THE FINAL STATEMENT OF REASONS

Following its preparation, a copy of the Final Statement of Reasons may be obtained from the Department's contact person.

#### AVAILABILITY OF CHANGES TO PROPOSED TEXT

After considering all timely and relevant comments received, the Department may adopt the proposed regulations substantially as described in this Notice. If the Department makes modifications which are sufficiently related to the originally proposed text, it will make the modified text (with the changes clearly indicated) available to the public for at least 15 days before the Department adopts the regulations as revised. Requests for copies of any modified regulation text should be directed to the contact person indicated in this Notice. The Department will accept written comments on the modified regulations for 15 days after the date on which they are made available.

#### INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

Penal Code (PC) Section 5000 provides that commencing July 1, 2005, any reference to the Department of Corrections in this or any code, refers to the CDCR, Division of Adult Operations,

PC Section 5050 provides that commencing July 1, 2005, any reference to the Director of Corrections, in this or any other code, refers to the Secretary of the CDCR. As of that date, the office of the Director of Corrections is abolished.

PC Section 5054 provides that commencing July 1, 2005, the supervision, management, and control of the state prisons, and the responsibility for the care, custody, treatment, training, discipline, and employment of persons confined therein are vested in the Secretary of the CDCR.

PC Section 5058.3 authorizes the Director to adopt, amend, or repeal emergency regulations conducted pursuant to GC Section 11340.

This action provides the following:

- Adopts into the California Code of Regulations, Title 15, Division 3, new sections 3540 through 3548 and Sections 3560 through 3565 that govern on a statewide basis, the use of continuous electronic monitoring and the Global Positioning System (GPS) program.
- Brings the Department into compliance with the provisions of PC Section 3004 and PC Section 3010 et seq. by adopting provisions that govern the use of continuous electronic monitoring technology to monitor the whereabouts of parolees who require electronic surveillance. The use of continuous electronic monitoring technology may be utilized as an additional supervision tool for parolees who are identified as requiring a higher level of supervision for the purpose of enhanced public safety.
- Defines the minimum performance standards for the continuous electronic monitoring system, and provides the functionality requirements of the devices that are used.
- Adopts provisions governing the use of GPS technology that is designed to monitor the whereabouts of persons on parole, by the use of continuous electronic monitoring, who have been identified as requiring a high level of supervision as described in section 3561 of these regulations. Pursuant to the authority provided in PC Sections 3004 and 3010, this action establishes a statewide GPS Program.
- Establishes for use on a statewide basis, the automated CDCR Form 1515–EID (01/10), Electronic In–Home Detention (EID) Special Conditions of Parole, which is incorporated by reference into the regulations. A copy of the automated CDCR Form 1515–EID has been made available for public review.
- Establishes the criteria by which parolees, who are required to participate in continuous electronic

monitoring/GPS pursuant to the law, shall be required to pay for the costs associated with the systems.

- Defines the consequences for noncompliance with rules or conditions of parole as set forth for the use of continuous electronic monitoring as a supervision tool.
- Defines which persons are eligible to be considered for participation in continuous electronic monitoring and establishes the criteria for the use of electronic monitoring and GPS.

## **TITLE 16. VETERINARY MEDICAL BOARD**

### **Title 16. Professional and Vocational Regulations Division 20. Veterinary Medical Board**

#### **Notice of Proposed Changes**

**NOTICE IS HEREBY GIVEN** that the Veterinary Medical Board (Board) is proposing to take the action described in the Informative Digest. Any person interested may present statements or arguments orally or in writing relevant to the action proposed at a hearing to be held at the Arlington Room 206 at 3737 Main Street, Riverside, California 92507 at 10 a.m. on Wednesday, April 21, 2010.

Written comments, including those sent by mail, facsimile, or e-mail to the addresses listed under Contact Person in this Notice, must be received by the Board at its office not later than 5:00 p.m. on Monday, April 19, 2010, or must be received by the Board at the hearing.

The Board upon its own motion or at the instance of any interested party may thereafter adopt the proposals substantially as described below or may modify such proposals if such modifications are sufficiently related to the original text. With the exception of technical or grammatical changes, the full text of any modified proposal will be available for 15 days prior to its adoption from the person designated in this Notice as contact person and will be mailed to those persons who submit written or oral testimony related to this proposal or who have requested notification of any changes to the proposal.

Authority and Reference: Pursuant to the authority vested by Sections 4808 of the Business and Professions Code, and to implement, interpret or make specific Sections 144, 4800.1, 4808, 4837, 4883, 4885, 4901, 4901.1, 4901.2, and 4902, of said Code; and Section 11105 of the Penal Code, the Board is considering changes to Division 20 of Title 16 of the California Code of Regulations as follows:

INFORMATIVE DIGEST/POLICY STATEMENT  
OVERVIEW

Business and Professions Code section 4808 authorizes the Board to adopt, amend, or repeal such rules and regulations as may be reasonably necessary to enable it to carry into effect the provisions of the Veterinarian Medicine Practice Act.

The purpose of the proposed language is to establish requirements for veterinarian and veterinary technician licensees to furnish a full set of fingerprints to the Department of Justice (DOJ) as a condition of renewal with the Board if the veterinarian was initially licensed prior to 1960 or veterinarian technician was licensed prior to 2004 or if an electronic record of the fingerprint submission no longer exists. Specifically, this proposal would:

Adopt Section 2007

The proposed regulation provides that veterinarian and veterinary technician licensees are required to respond to all Board requests for information within 30 days, that they are required to provide the Board with all records requested related to criminal history information, provide accurate responses and make available documents and other records requested.

Adopt Section 2010.05

The Board is proposing a requirement that, as a condition for license renewal, all licensed veterinarians and veterinary technicians must provide the Department of Justice (DOJ) a full set of fingerprints for the purpose of conducting a criminal history records check and must pay for all costs and maintain records of the submission for three years. This proposal applies if the veterinarian was initially licensed prior to 1960, the veterinary technician was licensed prior to 2004 or if an electronic record of the fingerprint submission no longer exists.

Also as a condition of renewal, a licensee must disclose to the Board whether, in the prior renewal cycle, he or she has been convicted of any violation of the law omitting minor infractions not involving alcohol, dangerous drugs or controlled substances. The Board is also proposing penalties for failure to disclose such convictions.

Amend Section 2085.1

The proposed regulation mandates that all licensees applying for license renewal or reactivating an inactive license submit a full set of fingerprints as required by section 2010.05 prior to seeking a license reinstatement.

FISCAL IMPACT ESTIMATES

Fiscal Impact on Public Agencies including Costs or Savings to State Agencies or Costs/Savings in Federal

Funding to the State: Processing approximately 4,000 fingerprint records and the applicable disciplinary actions will necessitate adding a .5 position to the Board's enforcement program and will increase the Board's related expenditures for services from the Office of the Attorney General and the Office of Administrative Hearings. The current estimated cost per fiscal year is:

\$26,500 for .5 personnel year

The Board estimated 600 new cases over the first two years resulting from 15% of licensee population completing fingerprints for the first time at an average cost of \$5,000 per case for a total of \$300,000  $(\$5,000 \times 600) / 2$  years or \$150,000 per year.

FY 2011–12 \$176,500

FY 2012–13 \$176,500

FY 2013–14 \$76,500

FY 2013–14 costs have been identified for staff to monitor renewal applications and resulting enforcement issues (\$50,000 enforcement costs/\$26,500 for .5 personnel year).

Nondiscretionary Costs/Savings to Local Agencies:

None

Local Mandate: None

Cost to Any Local Agency or School District for Which Government Code Section 17500–17630 Requires Reimbursement: None

Business Impact: The regulations will not have a significant statewide adverse economic impact directly affecting business, including the ability of California businesses to compete. There are approximately 750 fingerprinting service vendors statewide, including small businesses that provide fingerprinting services. There should not be any cost impact on fingerprinting service vendors because they are already equipped to provide the service. This regulation will generate revenue for fingerprinting service vendors.

Impact on Jobs/New Businesses: The Board has determined that this regulatory proposal will not have any impact on the creation of jobs or new businesses or the elimination of jobs or existing businesses or the expansion of businesses in the State of California.

Cost Impact on Representative Private Person or Business: The Board is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

Effect on Housing Costs: None

EFFECT ON SMALL BUSINESS

The Board has determined that the proposed regulations would not affect small businesses because the requirements pertain to individual licensed veterinarians and registered veterinary technicians.



## CONSIDERATION OF ALTERNATIVES

The Board has determined that no reasonable alternative it considered to the regulation or that has otherwise been identified and brought to its attention would either be more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private persons than the proposal described in this Notice.

Any interested person may present statements or arguments orally or in writing relevant to the above determinations at the above-mentioned hearing.

## INITIAL STATEMENT OF REASONS AND INFORMATION

The Board has prepared an initial statement of the reasons for the proposed action and has available all the information upon which the proposal is based.

## TEXT OF PROPOSAL

Copies of the exact language of the proposed regulations and of the initial statement of reasons, and all of the information upon which the proposal is based, may be obtained at the hearing or prior to the hearing upon request from the Board at 2005 Evergreen Street, Suite 2250, Sacramento, California 95825.

## AVAILABILITY AND LOCATION OF THE FINAL STATEMENT OF REASONS AND RULEMAKING FILE

All the information upon which the proposed regulations are based is contained in the rulemaking file which is available for public inspection by contacting the person named below.

You may obtain a copy of the final statement of reasons once it has been prepared, by making a written request to the contact person named below or by accessing the website listed below.

## CONTACT PERSON

Inquiries or comments concerning the proposed rule-making action may be addressed to:

Name: Ethan Mathes  
Address: Veterinary Medical Board  
2005 Evergreen Street, Suite 2250  
Telephone No.: 916-263-1598  
Fax No.: 916-263-2621  
E-Mail Address: ethan\_mathes@dca.ca.gov

The backup contact person is:

Name: Susan Geranen, Executive Officer  
Address: same as above  
Telephone No.: 916-263-2610  
Fax No.: 916-263-2621  
E-Mail Address: vmb@dca.ca.gov

Website Access: Materials regarding this proposal can be found at [www.vmb.ca.gov](http://www.vmb.ca.gov).

## TITLE 16. VETERINARY MEDICAL BOARD

### Title 16. Professional and Vocational Regulations Division 20. Veterinary Medical Board

#### Notice of Proposed Changes

**NOTICE IS HEREBY GIVEN** that the Veterinary Medical Board (Board) is proposing to take the action described in the Informative Digest. Any person interested may present statements or arguments orally or in writing relevant to the action proposed at a hearing to be held at the Arlington Room 206 at 3737 Main Street, Riverside, California 92507 at 10 a.m. on Wednesday, April 21, 2010.

Written comments, including those sent by mail, facsimile, or e-mail to the addresses listed under Contact Person in this Notice, must be received by the Board at its office not later than 5:00 p.m. on Monday, April 19, 2010, or must be received by the Board at the hearing.

The Board upon its own motion or at the instance of any interested party may thereafter adopt the proposals substantially as described below or may modify such proposals if such modifications are sufficiently related to the original text. With the exception of technical or grammatical changes, the full text of any modified proposal will be available for 15 days prior to its adoption from the person designated in this Notice as contact person and will be mailed to those persons who submit written or oral testimony related to this proposal or who have requested notification of any changes to the proposal.

Authority and Reference: Pursuant to the authority vested by sections 4808 and 4838 of the Business and Professions Code, and to implement, interpret or make specific sections 4838, 4846.5, of said Code; the Board is considering changes to Division 20 of Title 16 of the California Code of Regulations as follows:

#### INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

Business and Professions Code section 4808 authorizes the Board to adopt, amend, or repeal such rules and regulations as may be reasonably necessary to enable it



to carry into effect the provisions of the Veterinarian Medicine Practice Act. Business and Professions Code section 4838 authorizes the Board to adopt rules requiring all registrants to continue their education after receiving such registration.

The purpose of the proposed language is to establish requirements for registered veterinary technicians to continue their education beyond those required for initial registration. The proposed language would also require registered veterinary technicians to submit, as a condition of renewal, assurance to the Board they have completed their required continuing education. Specifically, this proposal would:

Adopt section 2086.

There are no existing regulations requiring continuing education as a condition for renewal for registered veterinary technicians. This regulatory proposal implements a requirement for 20 hours of continuing education in the preceding two years as a condition for renewal for registration as a registered veterinary technician; would establish requirements for approved providers; sets a four hour limit on “self-study”; establishes the start dates for collecting the verification of continuing education; establishes an audit procedure; and sets parameters for civil penalties for non-compliance.

Adopt section 2086.1.

There are no existing regulations that define the terms relevant to continuing education requirements. This regulatory proposal would define the terms “registrant,” “continuing education,” “approved provider,” “qualifying continuing education,” “qualifying course,” “self-study course” and “AAVSB.”

Adopt section 2086.2.

Existing regulations do not require continuing education requirements for registered veterinary technicians renewing their registration. This regulatory proposal would establish specific requirements for licensees taking continuing education courses regarding the number of required hours, reporting and record requirements, and the Board’s authority to audit a licensee’s continuing education hours. It also establishes fingerprinting requirements as per section 2010.05.

Adopt section 2086.3.

There are no existing regulations that specify guidelines for exemptions or waivers to the 20 hours of continuing education contact hours for license renewal. This regulatory proposal would identify specific reasons upon which basis a waiver would be granted.

Adopt section 2086.4.

There are no existing regulations that specify any form of continuing education credit or amount of continuing education credit for those licensees that are taking courses at a college or university, teaching an ap-

proved course, participating in an examination preparation workshop, serving as an expert examiner or giving a presentation. This regulatory proposal would establish parameters for licensees enrolled in a college or university course or who assist the VMB with examination workshops or serve as expert examiners. This proposal will specify how much continuing education credit can be earned and also how much of those hours can be applied towards the amount needed for license renewal.

Adopt section 2086.5.

There are no existing regulations that specify the content of the approved courses. This proposed regulation establishes the requirements for course content and what courses would not be acceptable.

Adopt section 2086.6.

There are no existing regulations that define the qualifications of the instructors of the continuing education courses. This regulatory proposal specifies the licensure, education, training, and experience requirements of each continuing education course instructor.

Adopt section 2086.7.

There are no existing regulations that specify the criteria required for recordkeeping and the content of the records. This regulatory proposal would require that providers keep records and specifies the content of those records. This regulatory proposal would require course providers to give each continuing education course attendee a record of completion and would outline what type of record is accepted and what information is required to be on each record of attendance.

Adopt section 2086.8.

Existing regulations do not outline the parameters for denial or withdrawal of Board-approved provider status. This regulatory proposal would specify the reasons for which an application for approved-provider status would be denied and also the reasons for which a provider’s approval could be withdrawn.

## FISCAL IMPACT ESTIMATES

Fiscal Impact on Public Agencies Including Costs or Savings to State Agencies or Costs/Savings in Federal Funding to the State: None

Nondiscretionary Costs/Savings to Local Agencies: None

Local Mandate: None

Cost to Any Local Agency or School District for Which Government Code Section 17500–17630 Requires Reimbursement: None

Business Impact: The Board has determined that the proposed regulatory action would have no significant statewide adverse economic impact directly affecting California business enterprises and individuals, includ-

ing the ability of California businesses to compete with businesses in other states. Continuing education providers in California would presumably realize an increase in revenue due to the requirement.

**Impact on Jobs/New Businesses:** The Board has determined that this regulatory proposal will not have any significant impact on the creation of jobs or new businesses or the elimination of jobs or existing businesses or the expansion of businesses in the State of California.

**Cost Impact on Representative Private Person or Business:** The cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action and that are known to the Board are dependent upon the route that the registered veterinarian technician chooses to fulfill his or her continuing education requirement.

Typically, registered veterinarian technicians would incur the expense of participating in selected continuing education course(s). Costs for such courses range from tens of dollars to several hundred dollars per course. Further, courses may or may not be paid for by the representative licensed veterinarians who employ registered veterinarian technicians. Alternatively, a registered veterinarian technician may gain education credits by participating as a subject matter expert in an examination preparation workshop, teaching a qualifying continuing education course, or taking a course as a condition of probation resulting from disciplinary action.

**Effect on Housing Costs:** None

#### **EFFECT ON SMALL BUSINESS**

The Board has determined that the proposed regulations would not affect small businesses because the requirements pertain to individual licensed veterinarians and registered veterinary technicians.

#### **CONSIDERATION OF ALTERNATIVES**

The Board has determined that no reasonable alternative it considered to the regulation or that has otherwise been identified and brought to its attention would either be more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private persons than the proposal described in this Notice.

Any interested person may present statements or arguments orally or in writing relevant to the above determinations at the above-mentioned hearing.

#### **INITIAL STATEMENT OF REASONS AND INFORMATION**

The Board has prepared an initial statement of the reasons for the proposed action and has available all the information upon which the proposal is based.

#### **TEXT OF PROPOSAL**

Copies of the exact language of the proposed regulations and of the initial statement of reasons, and all of the information upon which the proposal is based, may be obtained at the hearing or prior to the hearing upon request from the Board at 2005 Evergreen Street, Suite 2250, Sacramento, California 95825.

#### **AVAILABILITY AND LOCATION OF THE FINAL STATEMENT OF REASONS AND RULEMAKING FILE**

All the information upon which the proposed regulations are based is contained in the rulemaking file which is available for public inspection by contacting the person named below.

You may obtain a copy of the final statement of reasons once it has been prepared, by making a written request to the contact person named below or by accessing the website listed below.

#### **CONTACT PERSON**

Inquiries or comments concerning the proposed rulemaking action may be addressed to:

Name: Ethan Mathes  
Address: Veterinary Medical Board  
2005 Evergreen Street, Suite 2250  
Telephone No.: 916-263-1598  
Fax No.: 916-263-2621  
E-Mail Address: ethan\_mathes@dca.ca.gov

The backup contact person is:

Name: Susan Geranen, Executive Officer  
Address: same as above  
Telephone No.: 916-263-2610  
Fax No.: 916-263-2621  
E-Mail Address: vmb@dca.ca.gov

**Website Access:** Materials regarding this proposal can be found at [www.vmb.ca.gov](http://www.vmb.ca.gov).

### **GENERAL PUBLIC INTEREST**

#### **TITLE 2. DEPARTMENT OF FAIR EMPLOYMENT AND HOUSING**

NOTICE IS HEREBY GIVEN that the prospective contractors listed below have been required to submit a Nondiscrimination Program (NDP) or a California Employer Identification Report (CEIR) to the Department of Fair Employment and Housing, in accordance with

the provisions of Government Code Section 12990. No such program or CEIR has been submitted and the prospective contractors are ineligible to enter into State contracts. The prospective contractor's signature on Standard Form 17A, 17B, or 19, therefore, does not constitute a valid self-certification. Until further notice, each of these prospective contractors in order to submit a responsive bid must present evidence that its Nondiscrimination Program has been certified by the Department.

ASIX Communications, Inc.  
DBA ASI Telesystems, Inc.  
21150 Califa Street  
Woodland Hills, CA 91367

Bay Recycling  
800 77th Avenue  
Oakland, CA 94621

C & C Disposal Service  
P.O. Box 234  
Rocklin, CA 95677

Choi Engineering Corp.  
286 Greenhouse  
Marketplace, Suite 329  
San Leandro, CA 94579

Fries Landscaping  
25421 Clough  
Escalon, CA 95320

Marinda Moving, Inc.  
8010 Betty Lou Drive  
Sacramento, CA 95828

MI-LOR Corporation  
P.O. Box 60  
Leominster, MA 01453

Peoples Ridesharing  
323 Fremont Street  
San Francisco, CA 94105

San Diego Physicians & Surgeons Hospital  
446 26th Street  
San Diego, CA

Southern CA Chemicals  
8851 Dice Road  
Santa Fe Springs, CA 90670

Tanemura and Antle Co.  
1400 Schilling Place  
Salinas, CA 93912

Turtle Building Maintenance Co.  
8132 Darien Circle  
Sacramento, CA 95828

Univ Research Foundation  
8422 La Jolla Shore Dr.  
La Jolla, CA 92037

Vandergoot Equipment Co.  
P.O. Box 925  
Middletown, CA 95461

## AVAILABILITY OF INDEX OF PRECEDENTIAL DECISIONS

### CALIFORNIA GAMBLING CONTROL COMMISSION

#### NOTICE OF AVAILABILITY OF PRECEDENTIAL DECISIONS AND DECISION INDEX

Re: Government Code section 11425.60, subdivision (c).

NOTICE IS HEREBY GIVEN that the California Gambling Control Commission (Commission), pursuant to the requirements of section 11425.60 of the Government Code, maintains an index of precedential decisions. The index is available to the public by annual e-mail subscription from the Commission. The index and the text of the precedent decisions can be viewed, by appointment, at the Commission's office below. For subscription or additional information, or to schedule an appointment to view precedent decisions, contact:

Russell Johnson, Staff Counsel  
Legal Division  
California Gambling Control Commission  
2399 Gateway Oaks Drive, Suite 220  
Sacramento, California 95833-4231  
Telephone: (916) 263-1523  
Facsimile: (916) 263-0499  
E-Mail: [rjohnson@cgcc.ca.gov](mailto:rjohnson@cgcc.ca.gov)

The index and text of the precedential decisions also can be viewed on the Internet at <http://www.cgcc.ca.gov/enabling.asp>, under the section entitled "Precedential Decisions."

## SUMMARY OF REGULATORY ACTIONS

### REGULATIONS FILED WITH SECRETARY OF STATE

This Summary of Regulatory Actions lists regulations filed with the Secretary of State on the dates indicated. Copies of the regulations may be obtained by contacting the agency or from the Secretary of State,

Archives, 1020 O Street, Sacramento, CA 95814, (916) 653-7715. Please have the agency name and the date filed (see below) when making a request.

File# 2010-0107-01  
BOARD OF ACCOUNTANCY  
Attest Client Notification

This regulatory action establishes written notification requirements to attest clients or prospective attest clients as to which firm owners are authorized to sign reports on attest engagements pursuant to Business and Professions Code section 5095.

Title 16  
California Code of Regulations  
ADOPT: 50.1  
Filed 02/18/2010  
Effective 03/20/2010  
Agency Contact:  
Matthew Stanley (916) 561-1792

File# 2010-0108-01  
BOARD OF FORESTRY AND FIRE PROTECTION  
Form Date Change, 2010

The Board of Forestry and Fire Protection (Board) makes this change without regulatory effect pursuant to Title 1 of the California Code of Regulations section 100 to amend section 1052(a) of Title 14. Specifically, the Board amends forms RM-67 and RM-65 incorporated by reference in section 1052(a) to reflect substantive changes made in OAL file number 2009-1014-02S. This action is without regulatory effect as the Board is making the forms consistent with existing regulation.

Title 14  
California Code of Regulations  
AMEND: 1052(a)  
Filed 02/23/2010  
Agency Contact:  
Christopher Zimny (916) 653-9418

File# 2010-0211-02  
BOARD OF GUIDE DOGS FOR THE BLIND  
Annual School Renewal Payment

The Board of Guide Dogs for the Blind submitted this emergency action to adopt section 2262.1 and amend section 2262 of title 16 of the California Code of Regulations in order to continue to collecting annual renewal fees from Board-licensed schools pursuant to Bus. & Prof. Code secs. 7207 and 7217(b). This action implements SB 475 (2009), which amended Bus. & Prof. Code sec. 7207 by authorizing the Board to determine the rate for calculating the annual renewal fee and establishing an April 30th statutory deadline for payment of the annual school renewal fee.

Title 16  
California Code of Regulations  
ADOPT: 2262.1 AMEND: 2262  
Filed 02/22/2010  
Effective 02/22/2010  
Agency Contact:  
Antonette Sorrick (916) 574-7825

File# 2010-0111-03  
BOARD OF OCCUPATIONAL THERAPY  
Renewal of License or Certificate

The California Board of Occupational Therapists amended title 16, California Code of Regulations, section 4120, to require renewing applicants to submit fingerprints to the Department of Justice for Board investigations of criminal history records at both the state and federal levels. The requirement will be effective on July 1, 2010 for all applicants who renew licenses and certificates issued by the Board that do not have a record of fingerprints submitted to the Department of Justice. The requirement is waived for renewing applicants who renew to inactive status and to licensees and certificate holders who are actively serving in the military outside the country.

Title 16  
California Code of Regulations  
AMEND: 4120  
Filed 02/24/2010  
Effective 03/26/2010  
Agency Contact: James Schenk (916) 263-2249

File# 2010-0121-01  
DEPARTMENT OF AGING  
Conflict of Interest Code

The California Department of Aging is amending its conflict of interest code found at title 22, section 7000, California Code of Regulations. The changes were approved for filing by the Fair Political Practices Commission on December 24, 2009.

Title 22  
California Code of Regulations  
AMEND: 7000  
Filed 02/23/2010  
Effective 03/25/2010  
Agency Contact:  
Chisorom U. Okwuosa (916) 419-7508

File# 2010-0125-01  
DEPARTMENT OF CORRECTIONS AND  
REHABILITATION  
Conflict of Interest Code

The Department of Corrections and Rehabilitation is amending its conflict of interest code found at title 15, section 7001, California Code of Regulations. The changes were approved for filing by the Fair Political Practices Commission on December 23, 2009.



Title 15  
California Code of Regulations  
AMEND: 7001  
Filed 02/24/2010  
Effective 03/26/2010  
Agency Contact: John McClure (916) 255-5464

File# 2010-0208-01  
DEPARTMENT OF FINANCE  
Conflict of Interest Code

The Department of Finance is amending its conflict of interest code, found at title 2, div. 8, ch. 16, sec. 37000, California Code of Regulations. The changes were approved for filing by the Fair Political Practices Commission on January 26, 2010.

Title 2  
California Code of Regulations  
AMEND: div. 8, ch. 16, sec. 37000  
Filed 02/23/2010  
Effective 03/25/2010  
Agency Contact:  
Marion Springer (916) 445-3368

File# 2010-0211-01  
DEPARTMENT OF FOOD AND AGRICULTURE  
European Grapevine Moth — Eradication Authority

The Department of Food and Agriculture adopted section 3591.24 in title 3 of the California Code of Regulations to make the entire state of California an eradication area for European Grapevine Moth. New section 3591.24 also specifies hosts and possible carriers and the means and methods which may be used in the control and eradication of the European Grapevine Moth.

Title 3  
California Code of Regulations  
ADOPT: 3591.24  
Filed 02/18/2010  
Effective 02/18/2010  
Agency Contact:  
Susan McCarthy (916) 654-1017

File# 2010-0119-04  
DEPARTMENT OF FOOD AND AGRICULTURE  
White Striped Fruit Fly Eradication Area

This rulemaking action makes permanent the emergency regulation, at section 3591.23 of Title 3 of the California Code of Regulations, which established Los Angeles County as an eradication area for the White Striped Fruit Fly. The adopted regulation further identifies the host plants, fruits, and soils of the White Striped Fruit Fly and specifies the means and methods authorized for the eradication and control of this pest.

Title 3  
California Code of Regulations  
AMEND: 3591.23  
Filed 02/18/2010  
Effective 02/18/2010  
Agency Contact:  
Stephen S. Brown (916) 654-1017

File# 2010-0111-04  
DEPARTMENT OF INSURANCE  
Online Prelicensing and Continuing Education

This regulatory action establishes the curriculum required to obtain an insurance agent license as a Life Agent, Life-Only Agent, Accident and Health Insurance Agent and Limited Lines Automobile Insurance Agent. It also establishes standards for online prelicensing courses for all agents.

Title 10  
California Code of Regulations  
ADOPT: 2187, 2187.1, 2187.3, 2187.6, 2188.2.5, 2188.5.5, 2188.50(a), 2188.50(b), 2188.50(c), 2188.50(e), 2188.50(h) AMEND: 2186, 2186.1, 2187 (renumbered to 2187.3), 2187.1 (renumbered to 2187.2), 2187.2 (renumbered to 2187.7), 2187.3 (renumbered to 2187.4), 2187.4 (renumbered to 2187.5), 2188, 2188.1, 2188.2, 2188.3, 2188.4, 2188.5, 2188.23 (renumbered to 2188.50(d)), 2188.24 (renumbered to 2188.50(f)), 2188.83 (renumbered to 2188.50(g))  
Filed 02/23/2010  
Effective 03/25/2010  
Agency Contact: Elena Fishman (916) 492-3507

File# 2010-0107-02  
DEPARTMENT OF MOTOR VEHICLES  
Requesting Information from the Department—Casual Requester Online Fee

This rulemaking amends Title 13 sections 350.36, 350.38, 350.40, 350.44 and 350.46 of the California Code of Regulations. These amendments establish that a casual requester (any person who is requesting information from the department's files and is not a preapproved requester) may use electronic access to request his/her information from the Department's records. These amendments also establish the fee amount for requesting information electronically.

Title 13  
California Code of Regulations  
AMEND: 350.36, 350.38, 350.40, 350.44, 350.46  
Filed 02/22/2010  
Effective 03/24/2010  
Agency Contact: Maria Grijalva (916) 657-9001



File# 2010-0217-02

DEPARTMENT OF REAL ESTATE

SB 36 (Chapter 160, Statutes of 2009) — The SAFE Act

This emergency rulemaking amends two sections in Title 10 of the California Code of Regulations and adopts 12 new sections in two new articles. This rulemaking is designed to establish the requirements for licensed real estate salespersons and brokers to engage in mortgage loan origination activities including a background check, continuing education and personal character requirements.

Title 10

California Code of Regulations

ADOPT: 2756, 2758.1, 2758.2, 2758.3, 2758.4, 2758.5, 2758.6, 2758.7, 2945.1, 2945.2, 2945.3, 2945.4 AMEND: 2750, 2911

Filed 02/23/2010

Effective 02/23/2010

Agency Contact:

Daniel E. Kehew (916) 227-0425

File# 2010-0106-01

FISH AND GAME COMMISSION

Commercial Take of White Seabass

This action amends an existing regulation governing the commercial take of white seabass south of Point Conception to add language clarifying that only one white seabass may be possessed or sold following a multi-day commercial fishing trip rather than one seabass for each day of the trip.

Title 14

California Code of Regulations

AMEND: 155

Filed 02/18/2010

Effective 03/20/2010

Agency Contact: Sheri Tiemann (916) 654-9872

File# 2010-0119-08

OFFICE OF STATEWIDE HEALTH PLANNING  
AND DEVELOPMENT

Revisions to CCORP to Implement Online Reporting

This rulemaking amends and adopts regulations in Title 22 of the California Code of Regulations to establish an online reporting system for risk-adjusted outcomes for coronary artery bypass graft surgeries by hospitals and surgeons for post January 1, 2009 patient discharges. The online reporting system replaces the process of submitting these reports to the Office of Statewide Health Planning and Development in paper form or on compact discs.

Title 22

California Code of Regulations

ADOPT: 97177.10, 97177.15, 97177.20, 97177.25, 97177.30, 97177.35, 97177.45, 97177.50,

97177.55, 97177.60, 97177.65, 97177.67, 97177.70, 97177.75, 97199.50, 97200 AMEND: 97170, 97172, 97174, 97176, 97178, 97180, 97182, 97184, 97186, 97188, 97190, 97192, 97194 (renumbered as 97199), 97196, 97198

Filed 02/24/2010

Effective 02/24/2010

Agency Contact: Holly Hoegh (916) 326-3868

File# 2010-0111-01

STATE ALLOCATION BOARD

Leroy F. Greene School Facilities Act of 1998; SB 1556  
Implementation

Senate Bill 1556 (Stats. 2008, c. 723) provides that the Board may permit a large qualifying elementary school district that is located within a high school district to establish new construction funding eligibility for the School Facility Program (SFP) on a "high school attendance area" (HSAA) basis if specified criteria and conditions are met. This regulatory action adds authority for a qualifying elementary school district to request eligibility determination for new construction grants based on a HSAA or Super HSAA basis. To qualify, the elementary school district must meet specified criteria and conditions. This action also makes amendments to two forms incorporated by reference required to be used by the school districts that choose to apply for funding under the criteria and conditions specified. The office grants the Board's request that these amendments become effective upon filing with the Secretary of State pursuant to Government Code section 11343.4(c).

Title 2

California Code of Regulations

AMEND: 1859.2, 1859.41, Form SAB 50-01, Form SAB 50-02

Filed 02/24/2010

Effective 02/24/2010

Agency Contact: Robert Young (916) 445-0083

File# 2010-0122-01

STATE COMPENSATION INSURANCE FUND

Conflict-of-Interest Code

This is a Conflict of Interest Code filing that has been approved by the Fair Political Practices Commission and is being submitted for filing with the Secretary of State and printing only.

Title 2

California Code of Regulations

AMEND: 52400

Filed 02/19/2010

Effective 03/22/2010

Agency Contact:

Joseph Gershaneck (415) 565-1184

File# 2010-0112-06

STATE WATER RESOURCES CONTROL BOARD  
BPA to Establish a TMDL for Mercury in the Guadalupe River Watershed

This regulatory action is the State Water Resources Control Board's approval of the San Francisco Bay Regional Water Quality Control Board's adoption of Resolution No. R2-2008-0089 on October 8, 2008 which amended the Water Quality Control Plan for the San Francisco Bay Region by adopting Total Maximum Daily Loads (TMDL) for mercury in the Guadalupe River watershed.

Title 23

California Code of Regulations

ADOPT: 3919.7

Filed 02/24/2010

Effective 02/24/2010

Agency Contact: Peter Martin (916) 341-5557

File# 2010-0210-02

STATE WATER RESOURCES CONTROL BOARD  
Storage of Biodiesel Blends in Underground Storage Tanks

This is a second readopt of a prior emergency regulatory action (OAL file no. 2009-1029-01EE) that allows for the lawful storage of certain biodiesel blends up to 20% biodiesel, 80% petroleum diesel, commonly known as B20, in underground storage tanks (USTs) that have been tested and approved for storing petroleum diesel, but testing for storing B20 by an independent testing organization has not been completed, if specified conditions are met.

Title 23

California Code of Regulations

ADOPT: 2631.2

Filed 02/22/2010

Effective 02/26/2010

Agency Contact: Lori Brock (916) 341-5185

**CCR CHANGES FILED  
WITH THE SECRETARY OF STATE  
WITHIN September 23, 2009 TO  
February 24, 2010**

All regulatory actions filed by OAL during this period are listed below by California Code of Regulations titles, then by date filed with the Secretary of State, with the Manual of Policies and Procedures changes adopted by the Department of Social Services listed last. For further information on a particular file, contact the person listed in the Summary of Regulatory Actions section of the Notice Register published on the first Friday more than nine days after the date filed.

**Title 2**

02/24/10 AMEND: 1859.2, 1859.41, Form SAB 50-01, Form SAB 50-02  
02/23/10 AMEND: div. 8, ch. 16, sec. 37000  
02/19/10 AMEND: 52400  
02/11/10 ADOPT: 18421.9 AMEND: 18431  
02/11/10 AMEND: 18950.3  
02/09/10 ADOPT: 59660  
01/26/10 ADOPT: 1899.570, 1899.575, 1899.580, 1899.585  
01/25/10 AMEND: 58100  
01/19/10 AMEND: div.8, ch. 102, sec. 59100  
01/14/10 AMEND: Section 27000  
01/13/10 ADOPT: div. 8, ch. 119, sec. 59640  
01/11/10 ADOPT: 18229.1, 18944 REPEAL: 18944  
01/05/10 AMEND: div. 8, ch. 49, sec. 53800  
12/22/09 AMEND: 1859.96, 1859.148.2, 1859.166.2  
12/21/09 AMEND: 1896.4, 1896.12  
12/21/09 ADOPT: 20714.5 AMEND: 20711, 20712, 20714, 20716, 20717, 20718, 20719  
11/24/09 AMEND: 1859.2  
11/24/09 AMEND: 1859.2, 1859.35, 1859.51, Form SAB 50-02, SAB Form 50-03, SAB Form 50-04  
11/17/09 ADOPT: 20810, 20811, 20812, 20813, 20814, 20815, 20816, 20817, 20818, 20819, 20820, 20821, 20822, 20823, 20830, 20831, 20832, 20833, 20840, 20841, 20842  
11/16/09 AMEND: 1859.129, 1859.197  
11/12/09 ADOPT: 18944.4 AMEND: 18944.3  
11/12/09 ADOPT: 18219, 18734  
11/09/09 ADOPT: 1859.148.2, 1859.166.2 AMEND: 1859.2, 1859.121, 1859.164.2, 1859.197  
11/09/09 ADOPT: 604 REPEAL: 604  
11/05/09 ADOPT: 60800, 60801, 60802, 60803, 60804, 60805, 60806, 60807, 60808, 60809, 60810, 60811, 60812, 60813, 60814, 60815, 60816, 60817, 60818, 60819, 60820, 60821, 60822, 60823, 60824, 60825, 60826, 60827, 60828, 60829, 60830, 60831, 60832, 60833, 60834, 60835, 60836, 60837, 60840, 60841, 60842, 60843, 60844, 60845, 60846, 60847, 60848, 60849, 60850, 60851, 60852, 60853, 60854, 60855  
11/03/09 ADOPT: 1859.96 AMEND: 1859.2, 1859.90  
10/01/09 AMEND: 2291, 2292, 2294 ADOPT: 2297

10/01/09	AMEND: 1898.2, 1898.7	76020, 76140, 76212, 76240	AMEND:
<b>Title 3</b>		70000, 70010, 70020, 71100, 71110,	
02/18/10	AMEND: 3591.23	71120, 71130, 71140, 71150, 71160,	
02/18/10	ADOPT: 3591.24	71170, 71180, 71190, 71200, 71210,	
01/25/10	AMEND: 3434(b)	71220, 71230, 71240, 71250, 71260,	
01/25/10	AMEND: 3406(b)	71270, 71280, 71290, 71300, 71310,	
01/25/10	ADOPT: 1430.54, 1430.55, 1430.56,	71340, 71380, 71400, 71405, 71450,	
	1430.57	71455, 71460, 71465, 71470, 71500,	
01/19/10	ADOPT: 3436	71550, 71600, 71630, 71700, 71705,	
01/12/10	AMEND: 3434(b)	71710, 71715, 71720, 71730, 71735,	
01/11/10	AMEND: 3406(b) and (c)	71740, 71745, 71770, 71810, 71850,	
01/06/10	AMEND: 3435(b)	71865, 71920, 71930, 74000, 74002,	
01/04/10	AMEND: 2675, 2734, 2735	74004, 74006, 74120, 74130, 74140,	
12/31/09	AMEND: 3434(b), (c), (e)	74150, 74160, 74170, 74190, 74200,	
12/29/09	AMEND: 3423(b)	76000, 76120, 76130, 76200, 76210,	
12/28/09	AMEND: 3434(b)	76215	REPEAL: 70030, 71000, 71005,
12/28/09	AMEND: 3434(b)	71010, 71020, 71330, 71360, 71410,	
12/16/09	AMEND: 3591.20(a)	71415, 71420, 71490, 71495, 71505,	
12/16/09	AMEND: 3406(b)(c)	71510, 71515, 71520, 71555, 71560,	
11/25/09	AMEND: 3435(b)	71565, 71605, 71610, 71615, 71650,	
11/24/09	AMEND: 3430(b)	71655, 71725, 71775, 71800, 71805,	
11/16/09	AMEND: 3435(b)	71830, 71855, 71860, 71870, 71875,	
11/16/09	AMEND: 3406(b)(c)	71880, 71885, 71890, 71900, 71905,	
11/10/09	AMEND: 3434(b)	71910, 72000, 72005, 72010, 72020,	
10/30/09	AMEND: 3435(b), (c) and (d)	72101, 72105, 72110, 72120, 72130,	
10/15/09	AMEND: 3434(b)	72140, 72150, 72160, 72170, 72180,	
10/08/09	AMEND: 3434(b)	72190, 72200, 72210, 72220, 72230,	
10/08/09	AMEND: 3591.20(a)	72240, 72250, 72260, 72270, 72280,	
09/24/09	AMEND: 3406(b)	72290, 72300, 72310, 72330, 72340,	
09/24/09	AMEND: 3434(b)	72360, 72380, 72400, 72405, 72410,	
<b>Title 4</b>		72415, 72420, 72450, 72455, 72460,	
02/01/10	AMEND: 1867	72465, 72470, 72500, 72505, 72515,	
01/29/10	AMEND: 1866	72520, 72550, 72555, 72560, 72565,	
01/27/10	AMEND: 10020	72570, 72600, 72605, 72610, 72615,	
01/27/10	AMEND: 1890	72650, 72655, 72700, 72701, 72705,	
01/27/10	AMEND: 1859	72710, 72715, 72720, 72725, 72730,	
01/27/10	AMEND: 1843.6 and 1858	72735, 72740, 72745, 72770, 72775,	
12/17/09	AMEND: 8070, 8072, 8073, 8074	72800, 72805, 72810, 72830, 72850,	
12/09/09	AMEND: 12388	72855, 72860, 72865, 72870, 72875,	
12/08/09	ADOPT: 12218.8, 12218.9, 12238,	72880, 72885, 72890, 72900, 72905,	
	12239	72910, 72915, 72920, 72930, 73000,	
	AMEND: 12200.9, 12200.10A,	73010, 73100, 73110, 73120, 73130,	
	12200.11, 12200.13, 12203.2, 12205.1,	73140, 73150, 73160, 73165, 73170,	
	12218, 12218.7, 12220.13, 12220.18,	73180, 73190, 73200, 73210, 73220,	
	12220.23, 12225.1, 12233, 12235	73230, 73240, 73260, 73270, 73280,	
10/27/09	AMEND: 8034, 8035, 8042, 8043	73290, 73300, 73310, 73320, 73330,	
10/20/09	AMEND: 1606	73340, 73350, 73360, 73380, 73390,	
10/07/09	AMEND: 7030, 7034, 7035, 7037, 7038,	73400, 73410, 73420, 73430, 73440,	
	7042, 7044, 7045, 7046, 7048, 7049,	73470, 73480, 73500, 73520, 73530,	
	7050	73540, 73550, 73600, 73610, 73620,	
<b>Title 5</b>		73630, 73640, 73650, 73660, 73670,	
02/01/10	ADOPT: 70030, 70040, 71135, 71320,	73680, 73690, 73700, 73710, 73720,	
	71390, 71395, 71400.5, 71401, 71475,	73730, 73740, 73750, 73760, 73765,	
	71480, 71485, 71640, 71650, 71655,	73770, 73780, 73790, 73800, 73820,	
	71716, 71750, 71760, 74110, 74115,		

01/21/10	73830, 73831, 73832, 73850, 73860, 73870, 73880, 73890, 73900, 73910, 74008, 74010, 74014, 74016, 74018, 74020, 74030, 74040, 74050, 74100, 74180, 74300, 74310, 74320, 75000, 75020, 75030, 75040, 75100, 75110, 75120, 75130, 76010	<b>Title 10</b>	02/23/10	ADOPT: 2756, 2758.1, 2758.2, 2758.3, 2758.4, 2758.5, 2758.6, 2758.7, 2945.1, 2945.2, 2945.3, 2945.4 AMEND: 2750, 2911
	ADOPT: 30701, 30702, 30703, 30704, 30705, 30706, 30707, 30708, and 30709 REPEAL: 30701, 30702, 30703, 30704, 30705, 30706, 30707, 30708, and 30709		02/23/10	ADOPT: 2187, 2187.1, 2187.3, 2187.6, 2188.2.5, 2188.5.5, 2188.50(a), 2188.50(b), 2188.50(c), 2188.50(e), 2188.50(h) AMEND: 2186, 2186.1, 2187 (renumbered to 2187.3), 2187.1 (renumbered to 2187.2), 2187.2 (renumbered to 2187.7), 2187.3 (renumbered to 2187.4), 2187.4 (renumbered to 2187.5), 2188, 2188.1, 2188.2, 2188.3, 2188.4, 2188.5, 2188.23 (renumbered to 2188.50(d)), 2188.24 (renumbered to 2188.50(f)), 2188.83 (renumbered to 2188.50(g))
	ADOPT: 80034.1, 80034.2, 80034.3 AMEND: 80035, 80035.1, 80035.5		02/03/10	AMEND: 2695.85
	AMEND: 1203, 1204, 1205, 1206, 1207.1, 1208, 1209, 1211, 1217, 1218, 1219, 1220, 1225		01/21/10	ADOPT: 3575, 3576, 3577 AMEND: 3500, 3522, 3523, 3524, 3526, 3527, 3528, 3529, 3530, 3582, 3681, 3702, 3703, 3721, 3724, 3726, 3728, 3731, 3741
	AMEND: 41905		01/07/10	AMEND: 2651.1, 2652.1, 2652.10, 2653.3, 2653.4, 2653.5, 2654.1, 2655.3, 2655.4
	ADOPT: 19828.4, 19837.3, 19839, 19845.2 AMEND: 19815, 19816, 19816.1, 19828.3, 19837.2, 19845.1, 19846		12/15/09	REPEAL: 2232.45.1, 2232.45.2, 2232.45.3, 2232.45.4, 2232.45.5
	ADOPT: 30730, 30731, 30732, 30733, 30734, 30735, 30736		12/08/09	AMEND: 2699.6603
	AMEND: 1200, 1204.5, 1207, 1207.5, 1210, 1211.5, 1215, 1215.5, 1216 REPEAL: 1207.2		12/07/09	ADOPT: 2309.2, 2309.3, 2309.4, 2309.5, 2309.6, 2309.7, 2309.8, 2309.9, 2309.10, 2309.11, 2309.12, 2309.13, 2309.14, 2309.15, 2309.16, 2309.17, 2309.18, 2309.20
			12/03/09	AMEND: 2698.600, 2698.602
			12/01/09	ADOPT: 2031.1, 2031.2, 2031.3, 2031.4, 2031.5, 2031.6, 2031.7, 2031.8 AMEND: 2031.9, 2031.10
<b>Title 8</b>	AMEND: 5155		12/01/09	ADOPT: 2850.1, 2850.2, 2850.3, 2850.4, 2850.5, 2850.6, 2850.7, 2850.8, 2850.9, 2850.10
	AMEND: 1549(h)		12/01/09	ADOPT: 4.1, 4.2, 4.3, 4.4, 4.5, 4.6, 4.7, 4.8, 4.9, 4.10
	AMEND: 9812, 10111.2		12/01/09	AMEND: 2699.200, 2699.201
	AMEND: 4086		11/19/09	AMEND: 5500, 5501, 5502, 5503, 5504, 5505, 5506, 5507
	AMEND: 15600, 15601, 15602, 15603, 15604, 15605, 15606, 15607, 15611		11/19/09	AMEND: 2498.5
	AMEND: 9771, 9778, 9779, 9779.5 REPEAL: 9779.9		11/19/09	AMEND: 2498.5
	AMEND: 3333, 3650		11/19/09	AMEND: 2498.4.9
	AMEND: 5306		11/19/09	AMEND: 2498.4.9
	AMEND: 3277			
	AMEND: 2395.6			
<b>Title 9</b>	ADOPT: 9550			
	ADOPT: 10700, 10701 AMEND: 10518, 10529 REPEAL: 10532, 10533			
	ADOPT: 3200.125, 3200.215, 3200.217, 3200.253, 3200.254, 3200.255, 3200.256, 3200.275, 3200.276, 3200.320, 3200.325, 3550, 3810, 3820, 3830, 3840, 3841, 3842, 3843, 3844, 3844.1, 3845, 3850, 3851, 3851.1, 3852, 3853, 3854, 3854.1, 3854.2, 3856 AMEND: 3310, 3510			
	ADOPT: 4350			



11/10/09	AMEND: 260.101.2, 260.103.4, 260.105.7, 260.105.17, 260.105.33, 260.105.34, 260.211.1, 260.217, 260.230, 260.241.4, 260.242 REPEAL: 260.105.37, 260.204.11	<b>Title 13, 17</b>	12/03/09	AMEND: Title 13 — 1956.8, 2020, 2022, 2022.1, 2027, 2449, 2449.3, 2451, 2452, 2453, 2455, 2456, 2458, 2461, 2462, 2479, 2485, Title 17 — 93116.1, 93116.2, 93116.3, 93116.5
10/29/09	AMEND: 2699.6809			
10/29/09	AMEND: 2699.6600, 2699.6607, 2699.6619, 2699.6621, 2699.6705, 2699.6715, 2699.6725	<b>Title 14</b>	02/23/10	AMEND: 1052(a)
10/26/09	AMEND: 2632.9		02/18/10	AMEND: 155
10/26/09	AMEND: 2695.85		02/16/10	ADOPT: 15064.4, 15183.5, 15364.5 AMEND: 15064, 15064.7, 15065, 15086, 15093, 15125, 15126.2, 15126.4, 15130, 15150, 15183, Appendix F, Appendix G
10/15/09	AMEND: 2632.5		02/09/10	ADOPT: 1.54, 5.70, 5.83 AMEND: 1.74, 2.00, 2.09, 2.30, 3.00, 5.00, 5.15, 5.30, 5.37, 5.40, 5.51, 5.60, 5.79, 5.80, 5.81, 5.82, 5.87, 5.88, 7.00, 7.50, 8.00, 27.80, 27.92, 29.90, 700, 701
10/06/09	ADOPT: 2728, 2773, 2903 AMEND: 2731, 2848, 2930 REPEAL: 2728, 2755		02/03/10	AMEND: 11960
09/29/09	AMEND: 2699.6625		02/01/10	AMEND: 1257
09/24/09	AMEND: 260.004, 260.017.1, 260.102.14, 260.165, 260.210, 260.211, 260.230.1, 260.236, 260.236.1, 260.237.2, 260.240, 260.241.3 REPEAL: 260.101, 260.103.3, 260.237.1		01/29/10	AMEND: 791.7, 792
09/23/09	AMEND: 260.102.8(b), 260.103.6, 260.105.15, 260.113, 260.140.8(b)(4), 260.140.42(e), 260.140.71.2, 260.140.114.1(c), 260.151(a), 260.236(c)(3)(C), 260.608, 1457(d), 1950.122.1, 2020(c), 2030, Note after Subchapter 6 REPEAL: 250.50, 250.51		01/28/10	AMEND: 2090, 2425, 2525, 2530
			01/14/10	ADOPT: 749.5
<b>Title 11</b>			01/13/10	REPEAL: 1.18
01/11/10	38.3		01/08/10	AMEND: 4970.00, 4970.01, 4970.05, 4970.06.1, 4970.07, 4970.07.2, 4970.08, 4970.10, 4970.10.1, 4970.10.3, 4970.10.4, 4970.11, 4970.14.1, 4970.14.3, 4970.15.1, 4970.15.2, 4970.15.3, 4970.17, 4970.19, 4970.19.2, 4970.19.4, 4970.20, 4970.21, 4970.22, 4970.24, 4970.25.1, 4970.26
01/05/10	AMEND: 900, 901, 902, 903, 904, 905, 906 REPEAL: 907, 908, 909, 910, 911		12/29/09	AMEND: 4609
11/09/09	AMEND: 1005, 1007, 1008		12/21/09	AMEND: 670.5
10/14/09	AMEND: 9052(c), 9053(b), 9053(c), 9053(e)(5)(A)4, 9053(e)(10)(A), 9053(e)(10)(B), 9054(e)(4), 9057(b), 9059(b), 9059(c), 9059(e)(9)(A), 9059(e)(9)(B), 9060(e)(4)		12/21/09	AMEND: 2310, 2320
			12/02/09	AMEND: 699.5
<b>Title 12</b>			12/01/09	AMEND: 895, 895.1, 898, 914.8, 916, 916.2, 916.5, 916.9, 916.11, 916.12, 923.3, 923.9, 916.9.1, 923.9.1, 934.8, 936.5, 936, 936.2, 936.9, 936.9.1, 936.11, 936.12, 943.3, 943.9, 943.9.1, 954.8, 956.5, 956, 956.2, 956.9, 956.11, 956.12, 963.3, 963.9
10/13/09	ADOPT: 600 REPEAL: 600		11/30/09	ADOPT: 1022.4, 1022.5, 1024.6 AMEND: 1035.3, 1090.12, 1092.14
<b>Title 13</b>			11/30/09	AMEND: 1052, 1052.1, 1052.4
02/22/10	AMEND: 350.36, 350.38, 350.40, 350.44, 350.46		11/25/09	AMEND: 895, 895.1, 919.9, 919.10, 939.9, 939.10
01/14/10	ADOPT: 2032 AMEND: 1961, 1962, 1962.1, 1976, 1978		11/23/09	ADOPT: 749.4
01/05/10	AMEND: 553.70		11/18/09	AMEND: 163, 164
12/31/09	AMEND: 2449, 2449.1, 2449.2		10/29/09	AMEND: 551
12/31/09	AMEND: 2449, 2449.1, 2449.2		10/27/09	AMEND: 938.8
12/15/09	ADOPT: 155.07 AMEND: 155.05			
12/09/09	ADOPT: 2025			
12/03/09	AMEND: 425.01			
10/20/09	AMEND: 2433			
10/13/09	ADOPT: 2350, 2351, 2352, 2353, 2354, 2355, 2356, 2357, 2358, 2359			



10/27/09 ADOPT: 1530.05 AMEND: 1553, 1554,  
1561.1, 1562, 1564, 1567  
10/26/09 ADOPT: 1091.15 AMEND: 1091.9  
10/22/09 ADOPT: 749.5  
10/20/09 ADOPT: 6594, 6594.1, 6594.2, 6594.3,  
6594.4, 6594.5, 6594.6, 6594.7, 6594.8,  
6594.9, 6594.20, 659.21, 6594.22,  
6594.23, 6594.24, 6594.25, 6594.26,  
6594.27, 6594.40, 6594.41, 6594.42,  
6594.43, 6594.44, 6594.45, 6594.46,  
6594.47  
10/20/09 AMEND: 300  
10/07/09 AMEND: 122  
10/05/09 AMEND: 670.5

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02/24/10 AMEND: 7001  
02/16/10 ADOPT: 3540, 3541, 3542, 3543, 3544,  
3545, 3546, 3547, 3548, 3560, 3561,  
3562, 3563, 3564, 3565  
02/02/10 ADOPT: 3054.3 AMEND: 3054, 3054.1,  
3054.2, 3054.3 (renumbered to 3054.4),  
3054.4 (renumbered to 3054.5), 3054.5  
(renumbered to 3054.6), 3054.6  
(renumbered to 3054.7)  
01/25/10 ADOPT: 3042 AMEND: 3040, 3040.1,  
3041, 3041.2, 3043, 3043.1, 3043.3,  
3043.4, 3043.5, 3043.6, 3044, 3045,  
3045.1, 3045.2, 3045.3 REPEAL: 3040.2  
01/25/10 ADOPT: 3075.2(b)(4) through (b)(4)(C),  
3075.3(c), 3505 AMEND: 3000, 3075.2,  
3075.3, 3502, 3504  
01/07/10 AMEND: 1, 100, 102, 260, 261, 262, 263,  
351, 352, 353, 354, 355, 356, 358, 1006,  
1010, 1029, 1032, 1045, 1055, 1056,  
1063, 1081, 1083, 1084, 1100, 1122,  
1140, 1160, 1245, 1260, 1264, 1272,  
1280  
01/07/10 ADOPT: 3768, 3768.1, 3768.2, 3768.3  
REPEAL: 3999.6  
12/29/09 ADOPT: 3378.3 AMEND: 3000, 3378.1  
12/21/09 AMEND: 3287, 3290  
11/24/09 ADOPT: 3123, 3124 AMEND: 3041.3,  
3122, 3162, 3164, 3165  
10/23/09 ADOPT: 3999.8  
10/14/09 AMEND: 3045.2  
10/06/09 AMEND: 3000, 3173.1, 3176, 3176.3,  
3315, 3323  
09/29/09 AMEND: 3341.5

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02/24/10 AMEND: 4120  
02/22/10 ADOPT: 2262.1 AMEND: 2262  
02/18/10 ADOPT: 50.1  
02/16/10 ADOPT: 318.1  
01/06/10 AMEND: 1505

01/06/10 ADOPT: 2.4  
01/06/10 ADOPT: 1735, 1735.1, 1735.2, 1735.3,  
1735.4, 1735.5, 1735.6, 1735.7, 1735.8  
AMEND: 1751, 1751.01, 1751.02,  
1751.1, 1751.2, 1751.3, 1751.4, 1751.5,  
1751.6, 1751.7, 1751.8, 1751.9  
REPEAL: 1716.1, 1716.2, 1751.1,  
1751.6, 1751.9  
12/18/09 ADOPT: 81, 87.8, 87.9 AMEND: 80, 87,  
87.1, 87.7, 88, 88.1, 88.2, 89  
12/16/09 ADOPT: 3340.45 AMEND: 3340.5,  
3340.15, 3340.16, 3340.42  
12/10/09 ADOPT: 39, 40, 41, 42, 43, 44, 45, 46, 48,  
48.1, 48.2, 48.3, 48.5, 48.6  
12/09/09 AMEND: 1314.1  
12/03/09 AMEND: 1338  
11/30/09 AMEND: 832.45, 832.46, 861 REPEAL:  
842  
11/30/09 AMEND: 2286  
11/12/09 ADOPT: 645  
11/05/09 ADOPT: 3340.42.2 AMEND: 3340.17,  
3340.42  
10/08/09 AMEND: 1888  
10/07/09 ADOPT: 1399.90, 1399.91, 1399.92,  
1399.93, 1399.94, 1399.95, 1399.96,  
1399.97, 1399.98, 1399.99 REPEAL:  
1399.50, 1399.52  
10/05/09 ADOPT: 1399.514

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02/08/10 AMEND: 95362, 95365, 95366, 95367,  
95368  
01/12/10 ADOPT: 95480, 95480.1, 95481, 95482,  
95483, 95484, 95485, 95486, 95487,  
95489, 95490  
12/28/09 ADOPT: 95340, 95341, 95342, 95343,  
95344, 95345, 95346  
12/17/09 ADOPT: 100600, 100601, 100602,  
100603, 100604, 100605, 100606,  
100607, 100608, 100609, 100610,  
100611  
12/14/09 ADOPT: 95320, 95321, 95322, 95323,  
95324, 95325, 95326  
12/09/09 ADOPT: 95300, 95301, 95302, 95303,  
95304, 95305, 95306, 95307, 95308,  
95309, 95310, 95311  
11/12/09 AMEND: 30305  
11/10/09 ADOPT: 100502  
10/15/09 ADOPT: 1230 REPEAL: 1230

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01/25/10 AMEND: 2504, 2505, 2506, 2507, 2508,  
2509, 2512, 2513, 2514, 2525, 2530,  
2535, 2536, 2537, 2538, 2540, 2541,  
2542, 2543, 2544, 2557, 2560, 2561  
01/20/10 AMEND: 5237, 5266

09/29/09	AMEND: 1620	12/15/09	AMEND: 2200
<b>Title 19</b>		12/01/09	ADOPT: 5.1, 13.1, 13.2, 138 AMEND: 1, 3, 4, 5, 6, 7, 8, 13, 15, 109, 112 Table 8.1, 120, 193 Appendix A
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11/06/09	AMEND: 901, 905, 905.2, 906.3	11/02/09	ADOPT: 3919.5
<b>Title 21</b>		10/21/09	AMEND: 1062, 1064, 1066, 1070
01/21/10	ADOPT: 2620, 2621, 2622, 2623, 2624, 2625, 2626, 2627, 2628, 2629, 2630, 2631, 2632, 2633, 2634, 2635, 2636, 2637, 2638, 2639, 2640, 2641, 2642, 2643, 2644, 2645, 2646, 2647, 2648, 2649, 2650, 2651, 2652	10/06/09	AMEND: 3939.2
10/06/09	ADOPT: 1412.1, 1412.2, 1412.3, 1412.4, 1412.5, 1412.6, 1412.7, 1412.8, 1412.9	09/30/09	ADOPT: 570, 571, 572, 573, 574, 575, 576
<b>Title 22</b>		09/30/09	AMEND: 3939.2
02/24/10	ADOPT: 97177.10, 97177.15, 97177.20, 97177.25, 97177.30, 97177.35, 97177.45, 97177.50, 97177.55, 97177.60, 97177.65, 97177.67, 97177.70, 97177.75, 97199.50, 97200 AMEND: 97170, 97172, 97174, 97176, 97178, 97180, 97182, 97184, 97186, 97188, 97190, 97192, 97194 (renumbered as 97199), 97196, 97198	<b>Title 24</b>	
02/23/10	AMEND: 7000	12/02/09	ADOPT: 1-702 AMEND: 1-701
01/27/10	AMEND: 4402.2, 4406, 4409, 4420, 4420.5, 4426	<b>Title 25</b>	
01/21/10	AMEND: 455.5-6, 455.5-7, 455.5-8	01/29/10	AMEND: 5000, 5001, 5002, 5010, 5011, 5012, 5013, 5020, 5020.5, 5021, 5022, 5023, 5023.5, 5024, 5025, 5026, 5027, 5028, 5029, 5030, 5032, 5034, 5036, 5038, 5040, 5043, 5050, 5051, 5052, 5053, 5054, 5055, 5056, 5057, 5060, 5061, 5062, 5063, 5070, 5071, 5072, 5073, 5080, 5081, 5082, 5082.5, 5083, 5090, 5094, 5301, 5302, 5304, 5306, 5308, 5310, 5312, 5314, 5316, 5318, 5320, 5322, 5324, 5326, 5328, 5332, 5336, 5338, 5340, 5342, 5344, 5346, 5348, 5350, 5352, 5354, 5356, 5360, 5362, 5364, 5366, 5368 REPEAL: 5042
12/31/09	AMEND: 97018, 97019, 97215, 97216, 97222, 97225, 97226, 97227, 97231, 97232, 97234, 97240, 97241, 97244, 97245, 97246, 97249, 97260, 97261, 97264, 97267	10/29/09	AMEND: 1008
12/21/09	AMEND: 7314	10/15/09	ADOPT: 4100, 4102, 4104
11/24/09	ADOPT: 65800, 65801, 65802, 65803, 65804, 65805, 65806, 65807, 65808	<b>Title 27</b>	
<b>Title 22, MPP</b>		12/17/09	ADOPT: 10010 REPEAL: 10010
02/04/10	ADOPT: 84074 AMEND: 83074, 83087, 84087, 84274, 86074, 86087, 86574, 89374	12/02/09	AMEND: 27001
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02/24/10	ADOPT: 3919.7	<b>Title 28</b>	
02/22/10	ADOPT: 2631.2	12/18/09	ADOPT: 1300.67.2.2
01/26/10	AMEND: 3939.10	<b>Title MPP</b>	
		01/29/10	ADOPT: 91-101, 91-110, 91-120, 91-130, 91-140
		12/22/09	AMEND: 11-425, 22-001, 22-003, 22-009, 45-302, 45-303, 45-304, 45-305, 45-306
		12/15/09	AMEND: 70-104
		11/10/09	AMEND: 31-002, 31-003 and 31-502